

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

RASHALL M. BRACKNEY-WHEELOCK, PH.D.
of Charlottesville, Virginia 22911

Case No.: 3:22-cv-35

Plaintiff,

v.

CITY OF CHARLOTTESVILLE

605 E. Main Street

Charlottesville, VA 22902

Serve: Lisa Robertson, City Attorney

**CHARLES ‘CHIP’ BOYLES, FORMER CITY
MANAGER WITH CHARLOTTESVILLE**

406 Princess Anne Street

Fredericksburg, VA 22401

LISA ROBERTSON, CITY ATTORNEY

605 E. Main Street

Charlottesville, VA 22902

**HEATHER HILL, FORMER CITY
COUNCILOR**

656 Evergreen Avenue

Charlottesville, VA 22902

**LLOYD SNOOK, CITY COUNCILOR
CURRENT MAYOR OF CHARLOTTESVILLE**

605 E. Main Street, 2nd Floor

Charlottesville, VA 22902

SENA MAGILL, CITY COUNCILOR

605 E. Main Street, 2nd Floor

Charlottesville, VA 22902

**BELLAMY BROWN, FORMER POLICE
CIVILIAN REVIEW BOARD CHAIR (PCRB)**

606 E. Market Street

Charlottesville, VA 22902

**LATROY 'TITO' DURRETTE, ASSISTANT
POLICE CHIEF**

606 E. Market Street
Charlottesville, VA 22902

**JAMES MOONEY, FORMER ASSISTANT
POLICE CHIEF**

7 Apache Trail
Palmyra, VA 22963

**MICHAEL WELLS, POLICE
BENEVOLENT ASSOCIATION,
CENTRAL VIRGINIA CHAPTER PRESIDENT**

Albemarle County Police Department
1600 5th Street, Suite D
Charlottesville, VA 22902

**BRIAN WHEELER, FORMER
COMMUNICATIONS DIRECTOR AND FOIA
OFFICER FOR THE CITY OF
CHARLOTTESVILLE**

89 Langford Place
Charlottesville, VA 22903

Defendants

COMPLAINT

(Jury Trial Demanded)

COMES NOW, the Plaintiff, **RASHALL M. BRACKNEY-WHEELOCK, PH.D.**, (hereinafter referred to as "Plaintiff" or "Dr. Brackney"), by the undersigned counsel, and files this Complaint against the Defendants, **CITY OF CHARLOTTESVILLE, CHARLES "CHIP" BOYLES, LISA ROBERTSON, HEATHER HILL, LLOYD SNOOK, SENA MAGILL, BELLAMY BROWN, LATROY "TITO" DURRETTE, JAMES MOONEY, MICHAEL WELLS, and BRIAN WHEELER** (hereinafter individually and collectively referred to as "Defendants"), and alleges the following:

PARTIES

1. Plaintiff, Dr. Brackney is over the age of eighteen (18) and a resident citizen of the State of Virginia, residing in Charlottesville, Virginia.

2. The Defendant, CITY OF CHARLOTTESVILLE, is organized under the laws of the Commonwealth of Virginia and at all times relevant to the occurrences complained of, herein, Defendant was/is the employer and/or principal of Defendant CHARLES ‘CHIP’ BOYLES, Former City Manager with Charlottesville; Defendant LISA ROBERTSON, City Attorney; Defendant HEATHER HILL, Former City Councilor; Defendant LLOYD SNOOK, City Council; Defendant SENA MAGILL, City Councilor; Defendant BELLAMY BROWN, Former Police Civilian Review Board Chair (PCRB); Defendant LATROY ‘TITO’ DURRETTE, Assistant Police Chief; Defendant JAMES MOONEY, Former Assistant Police Chief; Defendant MICHAEL “MIKE” WELLS, Police Benevolent Association, Central Virginia Chapter-President; and Defendant BRIAN WHEELER, Former Communications Director and FOIA Officer for the City of Charlottesville, and is liable for the actions of those individuals on the basis of *respondeat superior* and other applicable law, including Title VII.

3. Defendant CHARLES ‘CHIP’ BOYLES, (hereinafter referred to as “Defendant BOYLES”) is the Former City Manager with Charlottesville and is an adult resident of Virginia. At all times relevant to the occurrences complained of herein, Defendant BOYLES was acting in his individual capacity as an employee and/or agent of Defendant CITY OF CHARLOTTESVILLE, and Defendant CITY OF CHARLOTTESVILLE is liable for the actions of Defendant BOYLES on the basis of *respondeat superior* and other applicable law.

4. Defendant LISA ROBERTSON, (hereinafter referred to as “Defendant ROBERTSON”) is the City Attorney of Charlottesville and is an adult resident of Virginia. At all

times relevant to the occurrences complained of herein, Defendant ROBERTSON was acting in her individual capacity as an employee and/or agent of Defendant CITY OF CHARLOTTESVILLE, and Defendant CITY OF CHARLOTTESVILLE is liable for the actions of Defendant ROBERTSON on the basis of *respondeat superior* and other applicable law;

5. Defendant HEATHER HILL, (hereinafter referred to as “Defendant HILL”) is the Former City Councilor of Charlottesville and is an adult resident of Virginia. At all times relevant to the occurrences complained of herein, Defendant HILL was acting in her individual capacity as an employee and/or agent of Defendant CITY OF CHARLOTTESVILLE, and Defendant CITY OF CHARLOTTESVILLE is liable for the actions of Defendant HILL on the basis of *respondeat superior* and other applicable law;

6. Defendant LLOYD SNOOK, (hereinafter referred to as “Defendant SNOOK”) is the City Council of Charlottesville and is an adult resident of Virginia. At all times relevant to the occurrences complained of herein, Defendant SNOOK was acting in him individual capacity as an employee and/or agent of Defendant CITY OF CHARLOTTESVILLE, and Defendant CITY OF CHARLOTTESVILLE is liable for the actions of Defendant SNOOK on the basis of *respondeat superior* and other applicable law;

7. Defendant SENA MAGILL, (hereinafter referred to as “Defendant MAGILL”) is the City Councilor of Charlottesville and is an adult resident of Virginia. At all times relevant to the occurrences complained of herein, Defendant MAGILL was acting in her individual capacity as an employee and/or agent of Defendant CITY OF CHARLOTTESVILLE, and Defendant CITY OF CHARLOTTESVILLE is liable for the actions of Defendant MAGILL on the basis of *respondeat superior* and other applicable law;

8. Defendant BELLAMY BROWN, (hereinafter referred to as “Defendant

BROWN”) is the Former Police Civilian Review Board Chair (PCRB) of Charlottesville and is an adult resident of Virginia. At all times relevant to the occurrences complained of herein, Defendant BROWN was acting in his individual capacity as an employee and/or agent of Defendant CITY OF CHARLOTTESVILLE, and Defendant CITY OF CHARLOTTESVILLE is liable for the actions of Defendant BROWN on the basis of *respondeat superior* and other applicable law;

9. Defendant LATROY ‘TITO’ DURRETTE, (hereinafter referred to as “Defendant DURRETTE”) is the Assistant Police Chief of Charlottesville and is an adult resident of Virginia. At all times relevant to the occurrences complained of herein, Defendant DURRETTE was acting in his individual capacity as an employee and/or agent of Defendant CITY OF CHARLOTTESVILLE, and Defendant CITY OF CHARLOTTESVILLE is liable for the actions of Defendant DURRETTE on the basis of *respondeat superior* and other applicable law;

10. Defendant JAMES MOONEY, (hereinafter referred to as “Defendant MOONEY”) is the Former Assistant Police Chief of Charlottesville and is an adult resident of Virginia. At all times relevant to the occurrences complained of herein, Defendant MOONEY was acting in his individual capacity as an employee and/or agent of Defendant CITY OF CHARLOTTESVILLE, and Defendant CITY OF CHARLOTTESVILLE is liable for the actions of Defendant MOONEY on the basis of *respondeat superior* and other applicable law;

11. Defendant MICHAEL “MIKE” WELLS, (hereinafter referred to as “Defendant WELLS”) is the Police Benevolent Association, Central Virginia Chapter-President of Charlottesville and is an adult resident of Virginia. At all times relevant to the occurrences complained of herein, Defendant WELLS was acting in his individual capacity as an agent of Defendant CITY OF CHARLOTTESVILLE, and Defendant CITY OF CHARLOTTESVILLE is liable for the actions of Defendant WELLS on the basis of *respondeat superior* and other

applicable law;

12. Defendant BRIAN WHEELER, (hereinafter referred to as “Defendant WHEELER”) is the Former Communications Director and FOIA Officer for the City Of Charlottesville and is an adult resident of Virginia. At all times relevant to the occurrences complained of herein, Defendant WHEELER was acting in his individual capacity as an employee and/or agent of Defendant CITY OF CHARLOTTESVILLE, and Defendant CITY OF CHARLOTTESVILLE is liable for the actions of Defendant WHEELER on the basis of *respondeat superior* and other applicable law.

13. The Defendant, CITY OF CHARLOTTESVILLE, is the proper Defendant pursuant to § 8.01-195.4 of the Virginia Tort Claim Act. Defendant CITY OF CHARLOTTESVILLE is a body politic, and corporate body, which may sue and be sued and has waived any applicable sovereign immunity in accordance with the Virginia State Tort Claims Act. Defendant CITY OF CHARLOTTESVILLE was in charge of and operates, the Charlottesville Police Department (CPD). It was responsible for and had the duty to provide proper supervision and training over all employees within the CITY OF CHARLOTTESVILLE and CPD.

JURISDICTION AND VENUE

14. This action is being brought pursuant to the Equal Employment Opportunity Act, 42 U.S.C. Chapter 21, Subchapter VI and includes any and all federal law claims plead herein for which jurisdiction and venue is attached.

15. The jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 1331, 1343(a)(4), 1367(a) and 28 U.S.C. § 2202.

16. Venue is proper in this district, pursuant to 28 U.S.C. § 1391 because Defendants are located in the district and all of or a substantial part of the events and omissions giving rise to

the proceeding claims occurred in this judicial district.

STATEMENT OF LAW

17. This action is brought for discrimination in employment pursuant to Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17.

18. The Virginia Office of the Attorney General has entered into a Work-Sharing Agreement with the U.S. Equal Employment Opportunity Commission which provides in § 2(A). that: “In order to facilitate the assertion of employment rights, the EEOC and the FEPA each designate the other as its agent for the purpose of receiving and drafting charges, including those that are not jurisdictional with the agency that initially receives the charges.”

19. Virginia Code §2.2-3011 provides in pertinent part as follows: “No employer may discharge, threaten, or otherwise discriminate or retaliate against a whistleblower, in whole or in part, because the whistleblower is requested or subpoenaed by an appropriate authority to participate in an investigation, hearing, or inquiry by an appropriate authority or in a court action.” *See* Va. Code § 2.2-3011 [emphasis added].

20. Plaintiff has timely filed, within one hundred and eighty (180) days after the last unlawful employment practice occurred, her charges of discrimination, satisfying the requirements of 42 U.S.C. Section 2000(e).

21. Under §18.2-417 of the Virginia Code, it is unlawful to intentionally make false communications to another about a person that damages such person’s reputation. *See* Va. Code §18.2-417.

22. Virginia Code § 18.2-499 *et seq.* imposes liability on “[a]ny two or more persons who combine, associate, agree, mutually undertake or concert together for the purpose of (i) willfully and maliciously injuring another in his reputation, trade, business or profession by any means whatever [...]”. *See* Va. Code §18.2-499.

23. The Virginia Constitution prohibits government actors from discriminating on the basis of race, providing that “the right to be free from any governmental discrimination upon the basis of religious conviction, race, color, sex, or national origin shall not be abridged.” Va. Const. art. I, §11.

24. Pursuant to the Code of Virginia and the Virginia Human Rights Act (VA HRA), it is unlawful to discriminate “in employment” because of race, color, sex, or gender. *See* Va. Code § 2.2-3900.

25. Virginia’s Freedom of Information Act (FOIA) grants Virginia citizens access to all public records pursuant to §2.2-3704(A). *See* VA Freedom of Information Act §2.2-3704(A).

STATEMENT OF FACTS

26. During the fall of 2017 and early into 2018, the City of Charlottesville Police Department ("CPD") was in a state of disarray, instability, and chaos. The community was angry and engaged in ongoing protesting, to display their displeasure with CPD's pattern and practice of negative responses to community concerns. On July 8, 2017, the citizen's civil right to assemble was met with the deployment of gas for non-violent protestors resulting in at least 23 arrests. One month later, on August 12, 2017, during the “Unite the Right Rally”, three individuals were killed and dozens injured. These actions were scrutinized and followed by a scathing report regarding CPD's response to the Unite the Right Rally of 2017.

27. In an effort by the City of Charlottesville to repair broken trust with the community, a search was conducted for the next Police Chief who would bring empathy, community-oriented training, and years of law enforcement methodology to the table.

28. On June 18, 2018, the Plaintiff, Dr. RaShall Brackney, signed an Employment Agreement with the City of Charlottesville (the “City”).

29. The Plaintiff was appointed as an employee of the City to serve in the position of Chief of Police for the City of Charlottesville, Virginia.

30. Dr. Brackney earned a Bachelor and a Master's Degree from Carnegie-Mellon University and a Ph.D. from Robert Morris University. Additionally, she has earned professional certifications from the Command Institute for Police Executives and the Police Executive Research Forum. Dr. Brackney is also a graduate of the FBI National Academy in Quantico, Virginia; the United States Secret Service Dignitary Protection course in Washington, D.C.; Redstone Arsenal "Bomb School" for managers in Huntsville, Alabama; and Leadership Pittsburgh XIX Program.

31. As Chief of Police, Dr. Brackney's priority was to stabilize CPD, by building rapport with its employees, whilst simultaneously empowering them to challenge their personal assumptions, regarding policing in the 21st century.

32. This goal was accomplished by Dr. Brackney via a multi-phase data collection process, which included a departmental SWOT analysis and self-developed goals by each specialized internal unit to create voluntary collaboration and a sense of shared goal setting.

33. Dr. Brackney became intimately familiar with each internal unit's assets, organizational structure, service delivery model(s), and training needs. She worked collectively to create a strategic plan for each department and corresponding budget for their success.

34. From phase two of the data collection, Dr. Brackney determined that specific attention would be focused on the following divisions: Jefferson Area Drug Enforcement (JADE), Special Weapons and Tactics (SWAT), Investigations, Strategic Initiative Unit, School Resource Officers (SROs), and Recruitment and Retention.

35. In phase three, Dr. Brackney conducted a detailed analysis of three divisions to identify organizational barriers to success and the overall impact on performance and the organization.

36. Based upon the data collected, Dr. Brackney determined that CPD employees lacked the basic skill sets needed to perform in the specialized units, support services, and/or patrol. Assignments were not based on strengths, but decades-old, archaic practices such as nepotism, favoritism, genderism, and racism.

37. With her tasks clearly set out in front of her and a mandate from the community (and those who hired her) for policing reform, Dr. Brackney implemented policies to improve the culture of the Charlottesville Police Department.

38. Dr. Brackney implemented weekly command team meetings to collaborate and develop action plans, focused on addressing priorities and changes.

39. Dr. Brackney established monthly meetings for Lieutenants and Directors, as well as quarterly meetings for all supervisors.

40. Dr. Brackney reorganized the CPD by expanding from three to four branches to create a flatter, more accessible organization with less hierarchy.

41. As a move to, again, promote transparency and accountability of the CPD, Dr. Brackney transferred the positions of Accreditation Manager, Budget Manager, Quartermaster, and Public Information Officer from a sworn officer position to a civilian position.

42. Additionally, Dr. Brackney developed the Physical Security Specialist program, and hired its inaugural incumbent as Physical Security Specialist.

43. Implementing a political theory known as Deliberative Democracy, which

encourages decisions to be the product of fair and reasonable discussion, Dr. Brackney instituted (1) weekly Command meetings, beginning in July of 2018; (2) annual "All-Hands" meetings beginning in 2018; (3) monthly Lieutenant and Directors meetings in 2019, after which the minutes were prepared and distributed to ensure transparency and accountability, (4) quarterly supervisor meetings, beginning in 2019; and (5) stood up the Command Advisory Board in January 2021.

44. In 2020, Dr. Brackney implemented Anti-Defamation League Training, Mandatory Crisis Intervention Training (CIT) for all new hires and launched a CPD climate survey to gauge the organizational culture and spot check her progress as she pushed forward reforms.

45. Dr. Brackney also increased the pay of sworn officers by 4.3%, and of executive assistants by 10%.

46. In 2021, Dr. Brackney brought standardized quarterly training to the CPD, with emphasize on a renewed focus on education and information in the form of open access to all online training through the Academy and Post Training Academy, including Community Engagement and "truth telling" for all new hires.

47. As Chief, Dr. Brackney created the motto "*Service Beyond the Call*," and proved CPD's commitment to those words when she expanded the Charlottesville Police Foundation (CPF) housing assistance program to be within 3 miles of the city, and increased pay to support services and Community Service Officers between 3 - 15%. These actions angered those who resented having a Black female at the helm of a police department, particularly one in the South with a conservative undercurrent.

48. Dr. Brackney further advanced the department by improving the CPD's

equipment: *e.g.*, tasers, upgraded Glockes, outer vest carriers, ATF K-9's (Explosive), Bikes/Racks, Segways, Ballistic Shields, body-worn camera upgrades, radio upgrades, and PowerDMS policy management software in 2021.

49. Dr. Brackney was selected by the Department of Justice to address biased-based and hate crime reporting challenges in the nation.

50. Dr. Brackney was selected by the Divided Community Project to join their Steering Committee, and by the Vera Institute to serve on their national Steering Committee for Policing Programs.

51. Additionally, as a result of her work in social and racial justice, Dr. Brackney was granted a fellowship to Carnegie-Mellon University Institute for Politics and Strategy, where she specializes in the influence of race on politics and policy.

52. As Chief, Dr. Brackney embraced progressive reforms rooted in proven political and organizational theory and she focused on equity, social justice, and restorative justice.

53. Racial disparity throughout the criminal justice system is obvious. Disparities in stops, arrests, incarceration, and use of force were an outgrowth of the problematic pattern and practices of systemic racism, racial bias, and a lack of cultural sensitivity by some untrained and/or undisciplined members of the Charlottesville Police Department.

54. On or about June 3, 2021, at 10:18 AM, Dr. Brackney received an email, subject: "Letter of Concern" which included information and a video involving regarding police misconduct and discriminatory behavior of CPD officer(s), namely Corporal Robbie Oberholzer.

55. On June 3, 2021, Plaintiff reported unlawful, criminal, departmentally inappropriate, misogynistic, harassing, and racist behaviors she witnessed in a video provided in a

citizen's complaint.

56. At all times material hereto, Dr. Brackney was mandated by her employment duties to report and/or conduct an investigation in response to the initial complaint received.

57. An analysis of a forensic report, regarding the initial investigation related to the June 3, 2021 citizen complaint, exposed several other suspected unlawful, criminal, and racist behaviors, as well as police violence, corruption, departmentally inappropriate, misogynistic, and/or discriminatory behaviors and harassment and threats within Defendant's police department.

58. Dr. Brackney, acting within the scope of her employment, took disciplinary and corrective measures such as disassembling the SWAT team and termination or suspension of each individual found to be involved in the unlawful, criminal, threatening and racist behaviors, or any police violence and/or corruption, or departmentally inappropriate, misogynistic, and/or discriminatory behaviors and harassment.

59. On or about June 13, 2021, Defendant BOYLES was contacted by Defendant HILL along with Defendant SNOOK, regarding an "all-hands meeting" on June 14, 2021.

60. On or about August 10, 2021, Defendant WELLS met with Defendant BOYLES and Defendant WELLS mentioned Steve Sellers' Interim Chief situation and requested a copy of Plaintiff's employment contract.

61. Defendants, including and specifically, Defendant BELLAMY BROWN and Defendant WELLS, gathered or convened to assemble a seventeen (17) question Police Benevolent Association ("PBA") survey with questions intentionally negatively worded and targeting Plaintiff as a result of the investigation and disciplinary actions described above.

62. This survey was conducted after and because of Plaintiff's recent investigation and disciplinary actions against former and current employees namely: Cpl. Robbie Oberholzer, Sgt.

Scott Godfrey, Sgt. Michael Hudson, Cpl. James Fink, Cpl. Steve Young, Officer Bethany Denault (Boury).

63. Defendants did not conduct a similar survey on any Caucasian male employees in leadership roles.

64. Defendants organized and conducted the 17 question PBA survey with the intention and expectations of receiving negative feedback regarding the Plaintiff and her role as Chief of Police.

65. Defendant Boyles stated that he felt that the 17 question PBA survey “was intended to highlight Chief Brackney in a less than positive way” and was a “hit job.”

66. Between June and September 2021, Defendants including, but not limited to, Defendant BROWN, Defendant HILL, Defendant WELLS, Defendant SNOOK, Defendant BOYLES, Defendant MOONEY, and Defendant MAGILL assembled, physically and virtually, to conspire and agree to mutually undertake together for the purpose of willfully and maliciously injuring Dr. Brackney’s reputation, in efforts to gain supportive reasoning to terminate her as Chief.

67. On August 26, 2021, Defendant BOYLES had a meeting with Dr. Brackney during which he indicated his confidence in her abilities as Chief, as evidenced in the audio-recording of the meeting.

68. On September 1, 2021, Dr. Brackney was notified of her termination “without-cause”, effective November 30, 2021.

69. Pursuant to Dr. Brackney’s Employment Agreement, she was to receive ninety (90) days advance written notice prior to her effective termination date.

70. On September 1, 2021, Dr. Brackney’s employment was interfered with by

Defendants.

71. On or about September 1, 2021, Defendant ROBERTSON ordered the IT Department to access Chief Brackney's email account and copy/archive Chief's emails and change her signatures and fonts, despite Chief still being employed until November 30, 2021.

72. On or about September 1, and September 3, 2021, Defendant BOYLES authored and published several press releases and made several comments regarding the termination of Plaintiff.

73. Between September 2021 and the present, Defendants have made multiple statements about Dr. Brackney, her employment, and termination.

74. Such statements were made with actual malice, knowledge of the falsity, and/or reckless disregard for the truth.

75. On or about October 4, 2021, Defendant SNOOK interviewed on CBS19 News 11:00PM News, explaining he supported the decision to fire Plaintiff because: "Even Black women officers were leaving."

76. On September 3, 2021, Defendant BOYLES published a press release that stated: "However, in order to dismantle systemic racism and eliminate police violence and misconduct in Charlottesville, we need a leader who is not only knowledgeable in that work, but also is effective building collaborative relationships with the community, the department, and the team at City Hall [...] [w]hile very good work and progress has been made, I ultimately decided new leadership was required to continue the City's progress towards building a new climate and culture within the department."

77. On September 3, 2021, Defendant published a press release insinuating Plaintiff's termination was "for cause" stating she was "not a good fit."

78. On September 3, 2021, Defendant BOYLES stated that he is not changing the language in the press conference that implied a letter shared with the public on August 20, 2021 sharing background information was “her letter” (Dr. Brackney’s) despite knowing that the letter was in fact not Dr. Brackney’s but instead was Defendant ROBERTSON’s draft, and became an edited collaboration between Defendant ROBERTSON, Defendants MOONEY, Defendant BOYLES, and Plaintiff.

79. On September 17, 2021, Defendant BOYLES wrote an Op-Ed in Daily Progress stating, “[d]espite successes in modernizing the department, recent public statements made by the Virginia Police Benevolent Association brought to the public’s attention two officer surveys assessing officers’ opinions of the current state of leadership in the department. These surveys revealed substantial concerns of trust and confidence in the leadership. I found these concerns troubling, especially when factoring in the known strained relationships across government, community, religious and regional stakeholder groups. These relationships are critically important; and when internal and external strife are present, it is imperative to act. [...] In hindsight, I would have engaged the City Council more directly in my deliberations and worked in partnership with Chief Brackney to develop an improvement plan. Fact is, I just did not have the luxury of time. I found the moment critical to act and felt the larger community would respect my intentions to guide our police department to a stable and evolving law enforcement outfit capable of making all residents safe, respected, and proud.”

80. September 20, 2021, during a Council meeting, Defendant BOYLES stated, “I in no way intend to malign her character, professional acumen or ability to perform. I am simply indicating “Fit” is more than size and measurements, but feel and function.”

81. The articles and press conferences are libel per se, made with actual malice,

knowledge of the false statements contained therein, and/or reckless discard for the truth.

82. The defamatory statements and articles created, and made apparent, a substantial danger to the Plaintiff's reputation and were in contrast to recorded statements made by Defendant BOYLES in his meeting with Dr. Brackney on August 26, 2021.

83. On or about October 21, 2021, Defendant DURRETTE authorized and requested that the Charlottesville Police Department website alter and remove the Plaintiff, Dr. Brackney's information and biography from the website, despite Plaintiff's Employment Agreement providing that she shall hold the Chief of Police position until November 30, 2021, stating, "Nathan and I updated the Police web pages on the City's website and removed the pages for Chief Brackney and Major Mooney and updated your page to reflect you are now the Assistant Chief and Major Durette."

84. On September 18, 2021, Dr. Brackney submitted a FOIA request for "all records including the documents read by Chip Boyles' during his meetings with Chief Brackney on August 26, 2021, and September 1, 2021, and his briefings to Council on September 7, 2021, referencing the termination of Chief R. Brackney's employment contract."

85. In response to Dr. Brackney's FOIA request, Defendant Brian WHEELER, FOIA Officer of Communications, wrote, "The records responsive to your request are attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document."

86. Upon inquiry from Plaintiff regarding the script Defendant BOYLES was reading during their August 26, 2021, meeting, on October 13, 2021, Defendant WHEELER replied, "I met with Chip and Lisa today. Attached is an additional record provided by Chip ('the script') for August 26. We made a mistake sending you the redacted September 1 notes. The unredacted

version is attached.”

87. The unredacted “script” that Defendant WHEELER and Defendant BOYLES subsequently provided to Plaintiff was not the same script that was read by Defendant BOYLES during the August 26, 2021 meeting.

88. On October 14, 2021, Plaintiff submitted a FOIA request for “Lisa Robertson’s and Chip Boyles’ properties logs associated with the creation, and editing of the document (script) provided...”.

89. To date, the original property logs from August 26, 2021, have not been provided to Dr. Brackney; and instead, Defendants ROBINSON and BOYLES submitted falsified documents contradictory to the audio recording of Dr. Brackney and Defendant BOYLES August 26, 2021, meeting.

90. Dr. Brackney has suffered and continues to suffer substantial losses incurred in seeking subsequent comparable employment, earnings, deferred compensation, earning capacity, back pay, front pay and other employment benefits, all to her detriment, as well as physical personal injuries, embarrassment, humiliation, mental anguish, and other general damages, all to her detriment, in an amount to be shown according to proof.

CAUSES OF ACTION

FIRST CAUSE OF ACTION

Race Discrimination

Violation of Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e-2)

91. Plaintiff repeats and realleges each and every allegation in the paragraphs above as though fully set forth at length herein.

92. At all times material hereto, Plaintiff was an employee of Defendant as defined by 42 U.S.C. § 2000e-(f).

93. At all times material hereto, Defendant was an employer within the meaning of 42 U.S.C. § 2000e-(b).

94. Defendants have engaged in intentional racial discrimination in the terms and conditions of the Plaintiff's employment, including, but not limited to, the Plaintiff's termination.

95. Defendants' differential treatment of Plaintiff based on race has created a racially hostile environment in which the Defendant's institution, itself, stereotypes and denigrates employees based on their race.

96. Plaintiff cannot avoid the racially hostile environment because it is intentionally woven into countless aspects of the Defendant's institution and the Defendant has publicly acknowledged this racially hostile environment.

97. In 2018, Defendant hired Plaintiff, who was the City of Charlottesville first African-American female chief, with the intention of combating the Defendant's deep-rooted issues with systemic racism and police misconduct.

98. On or about August 26, 2021, Defendant BOYLES noted to, and on September 1, 2021, stated to Plaintiff, "I know without a doubt that you will make a great chief in many places, I am just convinced that this community will not allow you to be a great chief here. They never gave you a chance from day one and you came into an impossible situation and given a nearly impossible vision to meet."

99. On September 1, 2021, in response to Plaintiff's termination, Former Mayor Walker addresses the racism within the department and on Facebook Live stated, "People who are not anti-racist are struggling with a chief who's trying to create an anti-racist police department and she's the one out?" Former Mayor Walker continued with stating that the city manager's decision to get rid of Brackney was a sign that "white supremacy is winning."

100. On or about September 3, 2021, Defendant BOYLES admitted to systemic racism and police violence within the department and stated, “In order to dismantle systemic racism and eliminate police violence and misconduct in Charlottesville, we need a leader who is not only knowledgeable in that work, but also is effective building collaborative relationships with the community, the department, and the team at City Hall.” (See **Exhibit “A”**).

101. Defendant’s racial discrimination included, but was not limited to, the following:

A. By subjecting Plaintiff to a hostile and offensive environment, as Caucasian male employees made videos of racist and color discriminatory content on company phones, an action Plaintiff was required to investigate, and Plaintiff, who is African-American was subsequently ridiculed, berated, surveyed, and ultimately fired for taking disciplinary action against such employee and those involved.

B. By conducting a 17 question PBA Survey that was specifically intended to target and highlight Plaintiff in a negative manner. This survey was conducted after, and because of, Plaintiff’s recent investigation and disciplinary actions against former and current employees namely: Cpl. Robbie Oberholzer, Sgt. Scott Godfrey, Sgt. Michael Hudson, Cpl. James Fink, Cpl. Steve Young, Officer Bethany Denault (Boury), and Defendant did not conduct a similar survey on any Caucasian male employees in leadership roles.

C. On or about August 19, 2021, Defendant WELLS stated that the racist videos were “[O]fficers just being silly, and videoing themselves in their car and sending it out, dealing with the pandemic last year.” (See **Exhibit “B”**).

D. Retaliating against Plaintiff by terminating her employment for reporting, investigating, and taking disciplinary and corrective action against Caucasian employees of Defendant, after finding that they were involved in racist and departmentally inappropriate

behaviors, misogynistic, and/or discriminatory behaviors and/or harassment and by not terminating said Caucasian male employees.

E. By declaring Plaintiff was “not a good fit,” on or around September 3, 2021, when Defendant BOYLES stated that his decision to terminate Plaintiff was “for cause” and because she was deemed “not a good fit” for the City of Charlottesville.

F. By declaring Plaintiff did not have the right “feel and function,” on September 20, 2021, when Defendant BOYLES publicly stated, “I in no way intend to malign her character, professional acumen or ability to perform. I am simply indicating “Fit” is more than size and measurements, but feel and function.” (See **Exhibit “C”**).

G. On or around September 17, 2021, Defendant BOYLES publicly stated, “While great strides were made during Chief Brackney’s time with the department in areas of racial equity and addressing officer conduct, many of these changes came about at the expense of leadership mistrust among many of the officers we depend on to protect and serve our city.” (See **Exhibit “D”**).

H. September 17, 2021, Defendant BOYLES publicly stated, “In hindsight, I would have engaged the City Council more directly in my deliberations and worked in partnership with Chief Brackney to develop an improvement plan. Fact is, I just did not have the luxury of time.” (See **Exhibit “D”**).

I. On or about October 4, 2021, Defendant SNOOK interviewed on CBS19 News 11:00PM News, explaining that he supported the decision to fire Plaintiff because: “Even Black women officers were leaving. [...] These were her hand-picked people...” (See **Exhibit “E”**).

J. By continuously subjecting Plaintiff to racial discrimination, by treating her adversely, and less equally as an employee pending separation from employment, than other

Caucasian employees (on the LEAD team or Director positions), when Defendants MOONEY and BOYLES:

- (1) revoked Plaintiff's access to: the building, Charlottesville Police Department and city facilities, all police and law enforcement systems, city issued credit card;
- (2) required her to make appointments to work in her own office, to be escorted throughout facilities while at work, to request permission (which was ultimately denied) from subordinates to access law enforcement systems; and
- (3) removed Plaintiff's photo from the interior lobby, Plaintiff's information, photo, and biography from the Charlottesville Police Department website, and Plaintiff from local task force workgroups.

K. No Caucasian LEAD team members or Caucasian directors who notified the city of their pending resignations, or separation from employment, had their access or privileges terminated, or any similar treatment or actions made against them as set forth in the preceding paragraph, prior to their separation, including but not limited to: John Jones, Brian Daley, Mike Murphy, Defendant BOYLES, Defendant WHEELER, or Defendant MOONEY.

102. The racially hostile environment is so severe, pervasive, and objectively offensive that it drastically undermines Plaintiff's career and effectively deprives her of equal opportunities.

103. The creation of such a racially hostile environment is the responsibility of Defendants because it is directly created by Defendant's employees and policies.

104. Defendants' actions have caused injury to Plaintiff, including depriving her of constitutional and statutory rights.

105. Defendants have no legitimate or compelling government interest in indoctrinating racial stereotypes and treating Plaintiff, or any employee, differently based upon race, nor is their

practice of doing so narrowly tailored to any such interest.

106. The excuses that the department “did not have the luxury of time” and that its policies have already been in place and are difficult to change is not an acceptable government interest or reason to continue practicing racial stereotypes and discrimination.

107. On November 9, 2021, Plaintiff filed timely charges of racial discrimination with the Charlottesville Office of Human Rights and Human Resource Office, in addition to a complaint on December 13, 2021, with the Virginia Office of the Attorney General – Civil Rights Division (“OCR”). On January 19, 2022, the OCR acknowledged receipt of Plaintiff’s complaint and on February 8, 2022, the Attorney General’s Office referred the case to the U.S. Equal Employment Opportunity Commission.

108. As a proximate result of Defendant’s unlawful racial discrimination, as set forth above, Plaintiff has suffered, and continues to suffer substantial losses incurred in seeking subsequent comparable employment, earnings, deferred compensation, earning capacity, back pay, front pay and other employment benefits, all to her detriment, in an amount to be shown according to proof.

109. As a further proximate result of Defendant’s unlawful racial discrimination, Plaintiff has suffered, and continues to suffer, physical personal injuries, embarrassment, humiliation, mental anguish and other general damages, all to her detriment, in an amount to be shown according to proof.

110. Defendants have engaged in discriminatory practices with malice and reckless indifference to the Plaintiff’s federally protected rights, thereby entitling her to punitive damages pursuant to 42 U.S.C. § 1981a.

111. Plaintiff demands judgment against Defendant, a trial by jury on all issues so

triable, and any other relief the Court deems just and proper.

SECOND CAUSE OF ACTION
Color Discrimination
Violation of Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e-2)

112. Plaintiff repeats and realleges each and every allegation in the paragraphs above as though fully set forth at length herein.

113. At all times material hereto, Plaintiff was an employee of Defendant as defined by 42 U.S.C. § 2000e(f).

114. At all times material hereto, Defendant was an employer within the meaning of 42 U.S.C. § 2000e(b).

115. Defendants have engaged in intentional color discrimination in the terms and conditions of the Plaintiff's employment, including, but not limited to, the Plaintiff's termination.

116. Defendant's color discrimination included, but was not limited to, the following:

A. By subjecting Plaintiff to a hostile and offensive environment as Caucasian male employees made videos of racist, and color discriminatory, content on company phones, an action Plaintiff was required to investigate, and Plaintiff, who is African-American was subsequently ridiculed, berated, surveyed, and ultimately fired for taking disciplinary action against such employee and those involved.

B. By conducting a 17 question PBA Survey that was specifically intended to target and highlight Plaintiff in a negative manner. This survey was conducted after and because of Plaintiff's recent investigation and disciplinary actions against former and current employees namely: Cpl. Robbie Oberholzer, Sgt. Scott Godfrey, Sgt. Michael Hudson, Cpl. James Fink, Cpl. Steve Young, Officer Bethany Denault (Boury), and Defendant did not conduct a similar survey on any Caucasian male employees in leadership roles.

C. On or about August 19, 2021, Defendant WELLS stated that the racist videos were “[O]fficers just being silly, and videoing themselves in their car and sending it out, dealing with the pandemic last year.” (See **Exhibit “B”**).

D. By retaliating against Plaintiff by terminating her employment for reporting, investigating, and taking disciplinary and corrective action against employees of Defendant after finding that they were involved in racist and departmentally inappropriate behaviors, misogynistic, and/or discriminatory behaviors and/or harassment and by not terminating other Caucasian employees in leadership roles.

E. By declaring Plaintiff was “not a good fit,” on or around September 3, 2021, when Defendant BOYLES stated that his decision to terminate Plaintiff was “for cause” and because she was deemed “not a good fit” for the City of Charlottesville.

F. By declaring Plaintiff did not have the right “feel and function,” on September 20, 2021, when Defendant BOYLES publicly stated, “I in no way intend to malign her character, professional acumen or ability to perform. I am simply indicating “Fit” is more than size and measurements, but feel and function.” (See **Exhibit “C”**).

G. On or about October 4, 2021, Defendant SNOOK interviewed on CBS19 News 11:00PM News, explaining that he supported the decision to fire Plaintiff because: “Even Black women officers were leaving. [...] These were her hand-picked people...” (See **Exhibit “E”**).

H. By continuously subjecting Plaintiff to color discrimination, by treating her adversely, and less equally as an employee pending separation from employment, than other Caucasian employees (on the LEAD team or Director positions), when Defendants MOONEY and BOYLES:

(1) revoked Plaintiff’s access to: the building, Charlottesville Police Department and city

facilities, all police and law enforcement systems, city issued credit card;

(2) required her to make appointments to work in her own office, to be escorted throughout facilities while at work, to request permission (which was ultimately denied) from subordinates to access law enforcement systems; and

(3) removed Plaintiff's photo from the interior lobby, Plaintiff's information, photo, and biography from the Charlottesville Police Department website, and Plaintiff from local task force workgroups.

I. No other Caucasian LEAD team members or directors who notified the city of their pending resignations, or separation from employment, had their access or privileges terminated, or any similar treatment or actions made against them as set forth in the preceding paragraph, prior to their separation, including but not limited to: John Jones, Brian Daley, Mike Murphy, Defendant BOYLES, or Defendant MOONEY.

117. On November 9, 2021, Plaintiff filed timely charges of color discrimination with the Charlottesville Office of Human Rights and Human Resource Office, in addition to a complaint on December 13, 2021, with the Virginia Office of the Attorney General – Civil Rights Division (“OCR”). On January 19, 2022, the OCR acknowledged receipt of Plaintiff's complaint and on February 8, 2022, the Attorney General's Office referred the case to the U.S. Equal Employment Opportunity Commission.

118. As a proximate result of Defendant's unlawful color discrimination, as set forth above, Plaintiff has suffered, and continues to suffer, substantial losses incurred in seeking subsequent comparable employment, earnings, deferred compensation, earning capacity, back pay, front pay and other employment benefits, all to her detriment, in an amount to be shown according to proof.

119. As a further proximate result of Defendant's unlawful color discrimination, Plaintiff has suffered, and continues to suffer, physical personal injuries, embarrassment, humiliation, mental anguish, and other general damages, all to her detriment, in an amount to be shown according to proof.

120. Defendants have engaged in discriminatory practices with malice and reckless indifference to the Plaintiff's federally protected rights, thereby entitling her to punitive damages pursuant to 42 U.S.C. § 1981a.

121. Plaintiff demands judgment against Defendant, a trial by jury on all issues so triable, and any other relief the Court deems just and proper.

THIRD CAUSE OF ACTION
Gender Discrimination
Violation of Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e-2)

122. Plaintiff repeats and realleges each and every allegation in paragraphs 1 through 110 above as though fully set forth at length herein.

123. At all times material hereto, Plaintiff was an employee of Defendant as defined by 42 U.S.C. § 2000e-(f).

124. At all times material hereto, Defendant was an employer within the meaning of 42 U.S.C. § 2000e-(b).

125. Defendants have engaged in intentional gender discrimination in the terms and conditions of the Plaintiff's employment, including, but not limited to, the Plaintiff's termination.

126. Defendant's gender discrimination included, but was not limited to, the following:

A. By subjecting Plaintiff to a hostile and offensive environment, as male employees made videos of nude female content on company phones, an action Plaintiff, who is female was required to investigate, and Plaintiff was subsequently ridiculed, berated, surveyed, and ultimately

fired for taking disciplinary action against such employee and those involved.

B. By conducting a 17 question PBA Survey that was specifically intended to target and highlight Plaintiff in a negative manner. This survey was conducted after, and because of, Plaintiff's recent investigation and disciplinary actions against former and current employees namely: Cpl. Robbie Oberholzer, Sgt. Scott Godfrey, Sgt. Michael Hudson, Cpl. James Fink, Cpl. Steve Young, Officer Bethany Denault (Boury); and Defendant did not conduct a similar survey on any Caucasian male employees in leadership roles.

C. Retaliating against Plaintiff by terminating her employment for reporting, investigating, and taking disciplinary and corrective action against employees of Defendant, after finding that they were involved in racist, departmentally inappropriate behaviors, misogynistic, and/or discriminatory behaviors and/or harassment and by not terminating male employees.

D. By declaring Plaintiff was "not a good fit," on or around September 3, 2021, when Defendant BOYLES stated that his decision to terminate Plaintiff was "for cause" and because she was deemed "not a good fit" for the City of Charlottesville.

E. By declaring Plaintiff did not have the right "feel and function," on September 20, 2021, when Defendant BOYLES publicly stated, "I in no way intend to malign her character, professional acumen or ability to perform. I am simply indicating "Fit" is more than size and measurements, but feel and function." (See **Exhibit "C"**).

F. By continuously subjecting Plaintiff to gender discrimination, by treating her adversely and less equally as an employee pending separation from employment, than all male others (on the LEAD team or Director positions), when Defendants MOONEY and BOYLES:

- (1) revoked Plaintiff's access to: the building, Charlottesville Police Department and city facilities, all police and law enforcement systems, city issued credit card;

- (2) required her to make appointments to work in her own office, to be escorted throughout facilities while at work, to request permission (which was ultimately denied) from subordinates to access law enforcement systems; and
- (3) removed Plaintiff's photo from the interior lobby, Plaintiff's information, photo, and biography from the Charlottesville Police Department website, and Plaintiff from local task force workgroups.

G. No LEAD team members or directors who notified the city of their pending resignations, or were notified by the City of Charlottesville of their pending separation from employment, had their access or privileges terminated, or any similar treatment or actions made against them as set forth in the preceding paragraphs, prior to their separation, including but not limited to: John Jones, Brian Daley, Mike Murphy, Defendant BOYLES, or Defendant MOONEY.

127. On November 9, 2021, Plaintiff filed timely charges of gender discrimination with the Charlottesville Office of Human Rights and Human Resource Office, in addition to a complaint on December 13, 2021, with the Virginia Office of the Attorney General – Civil Rights Division (“OCR”). On January 19, 2022, the OCR acknowledged receipt of Plaintiff's complaint and on February 8, 2022, the Attorney General's Office referred the case to the U.S. Equal Employment Opportunity Commission.

128. As a proximate result of Defendant's unlawful gender discrimination, as set forth above, Plaintiff has suffered and continues to suffer substantial losses incurred in seeking subsequent comparable employment, earnings, deferred compensation, earning capacity, back pay, front pay and other employment benefits, all to her detriment, in an amount to be shown according to proof.

129. As a further proximate result of Defendant's unlawful gender discrimination,

Plaintiff has suffered and continues to suffer physical personal injuries, embarrassment, humiliation, mental anguish, and other general damages, all to her detriment, in an amount to be shown according to proof.

130. Defendants have engaged in discriminatory practices with malice and reckless indifference to the Plaintiff's federally protected rights, thereby entitling her to punitive damages pursuant to 42 U.S.C. § 1981a.

131. Plaintiff demands judgment against Defendant, a trial by jury on all issues so triable, and any other relief this Court deems just and proper.

FOURTH CAUSE OF ACTION
Tortious Interference with Employment Contract
as Against Defendants, JAMES MOONEY, CHIP BOYLES, BELLAMY BROWN,
MICHAEL WELLS, SENA MAGILL, LISA ROBERTSON, and HEATHER HILL

132. Plaintiff repeats and realleges each and every allegation in the paragraphs above as though fully set forth at length herein.

133. Plaintiff alleges that at all times relevant to this cause of action, Defendant MOONEY, Defendant BOYLES, Defendant BROWN, Defendant WELLS, Defendant MAGILL, and Defendant HILL were not acting within the course nor scope of their employment but rather were acting with ulterior motives and without an honest belief that their actions would benefit their employer, Defendant CITY OF CHARLOTTESVILLE, VIRGINIA.

134. On June 18, 2018, Plaintiff entered into an Employment Contract (the "Agreement") with Defendant. (See **Exhibit "F"**).

135. Following a successful probationary period, the Plaintiff entered the 'initial term' of the Agreement, as outlined in Section 2(B), stating "shall commence on January 19, 2019, and shall continue through December 31, 2023 ('Initial Term')." (See **Exhibit "F"**).

136. The Agreement further states in Section 2(B)(2) in pertinent part: "During the

Initial Term either the City Manager or the Employee may elect to terminate this Agreement, without cause, after giving ninety (90) days' advance written notice to the other.” (See **Exhibit “F”**).

137. Plaintiff was notified of her termination “without-cause” on September 1, 2021 and the Agreement provided for ninety (90) days advance written notice, which date is November 30, 2021.

138. At all times material hereto, Plaintiff was to remain an employee of Defendants until November 30, 2021.

139. Defendant MOONEY tortiously interfered with Plaintiff's at-will employment by:

A. On or around August 18, 2021, meeting with Defendant BOYLES to discuss the ill-intended and unscientific 17 question PBA Survey conducted amongst anonymous employees or former employees, related to, and conducted due to Plaintiff's recent investigation and disciplinary actions against former and current employees namely: Cpl. Robbie Oberholzer, Sgt. Scott Godfrey, Sgt. Michael Hudson, Cpl. James Fink, Cpl. Steve Young, Officer Bethany Denault (Boury);

B. On or around August 25, 2021, announcing he (Defendant MOONEY) will be retiring effective August, 30, 2021, and that he (Defendant MOONEY) is worried about audios being released, indicating that he (Defendant MOONEY) “speaks before he thinks” and that he (Defendant MOONEY) “has not always supported [Plaintiff];”

C. On August 26, 2021, Defendant BOYLES had an audio-recorded meeting with Dr. Brackney during which he indicated his confidence in her abilities as Chief;

D. On or around August 27, 2021, submitting retirement paperwork, Defendant MOONEY stated that if Plaintiff was terminated he would return from retirement and remain in

his position;

E. On or before September 1, 2021, Defendant MOONEY revoked his retirement;

F. On September 1, 2021, Plaintiff was notified of her termination “without-cause”;

G. On September 1, 2021, Defendant BOYLES issued a City Press release announcing that Plaintiff had been terminated and that Defendant MOONEY would no longer be retiring;

H. On September 1, 2021, instructing all supervisors to call their employees to inform them of Plaintiff’s termination;

I. On or around September 1, 2021, terminating Plaintiff’s access to all police and law enforcement systems, despite Plaintiff remaining employed as Chief until November 30, 2021;

J. On September 1, 2021, terminating Plaintiff’s access to city issued credit card, despite Plaintiff remaining employed as Chief until November 30, 2021;

K. On or around September 1, 2021, requiring Plaintiff to make appointments to work in her own office, despite Plaintiff remaining employed as Chief until November 30, 2021;

L. On or around September 1, 2021, requiring Plaintiff to be escorted throughout facilities while at work, despite Plaintiff remaining employed as Chief until November 30, 2021;

M. On or around September 1, 2021, requiring Plaintiff to request permission, which was ultimately denied, from subordinates to access law enforcement systems, despite Plaintiff remaining employed as Chief until November 30, 2021;

N. On September 1, 2021, removing Plaintiff’s photo from the interior lobby, despite Plaintiff remaining employed as Chief until November 30, 2021;

O. On or around September 1, 2021, removing Plaintiff’s information, photo, and biography from the Charlottesville Police Department website, despite Plaintiff remaining employed as Chief until November 30, 2021;

P. On September 1, 2021, removing Plaintiff from local task force workgroups, despite Plaintiff remaining employed as Chief until November 30, 2021;

Q. On September 2, 2021, revoking Plaintiff's access to the Charlottesville Police Department and city facilities, despite Plaintiff remaining employed as Chief until November 30, 2021;

R. On September 2, 2021, changing Plaintiff's email signature, despite Plaintiff remaining employed as Chief until November 30, 2021;

S. By continuously subjecting Plaintiff to gender, racial, and color discrimination, by treating her adversely and less equally as an employee, pending separation from employment, than all others, as no other directors who notified the city of their pending resignations or separation from employment had their access or privileges terminated, or any similar treatment or actions made against them as set forth in the preceding paragraphs, prior to their separation including but not limited to: John Jones, Brian Daley, Mike Murphy, Defendant BOYLES, or Defendant MOONEY, himself.

140. Defendant BOYLES tortiously interfered with Plaintiff's at-will employment by:

A. On or about June 13, 2021, Defendant BOYLES was contacted by Defendant HILL along with Defendant SNOOK, regarding an "all-hands meeting" on June 14, 2021;

B. On or around August 18, 2021, meeting with Defendant MOONEY to discuss the ill-intended and unscientific 17 question PBA Survey conducted amongst anonymous employees or former employees related to and conducted due to Plaintiff's recent investigation and disciplinary actions against former and current employees namely: Cpl. Robbie Oberholzer, Sgt. Scott Godfrey, Sgt. Michael Hudson, Cpl. James Fink, Cpl. Steve Young, Officer Bethany Denault (Boury);

C. On or around both August 10, and August 23, 2021, meeting with Defendant WELLS to discuss the PBA Survey, give Defendant WELLS a copy of Plaintiff's employment contract, and to listen to audio recordings and to discuss why Defendant WELLS thought that "new leadership is needed"; and Defendant BOYLES noted "Nothing new."

D. On or around September 1, 2021, ordering Defendant MOONEY to notify CPD of Plaintiff's termination;

E. On September 1, 2021, issuing a City Press release announcing that Plaintiff had been terminated and that Defendant MOONEY would no longer be retiring;

F. On or around September 1, 2021, terminating Plaintiff's access to all police and law enforcement systems, despite Plaintiff remaining employed as Chief until November 30, 2021;

G. On September 1, 2021, terminating Plaintiff's access to city issued credit card, despite Plaintiff remaining employed as Chief until November 30, 2021;

H. On or around September 1, 2021, requiring Plaintiff to make appointments to work in her own office, despite Plaintiff remaining employed as Chief until November 30, 2021;

I. On or around September 1, 2021, requiring Plaintiff to be escorted throughout facilities while at work, despite Plaintiff remaining employed as Chief until November 30, 2021;

J. On or around September 1, 2021, requiring Plaintiff to request permission, which was ultimately denied, from subordinates to access law enforcement systems, despite Plaintiff remaining employed as Chief until November 30, 2021;

K. On or around September 1, 2021, removing Plaintiff's photo from the interior lobby, despite Plaintiff remaining employed as Chief until November 30, 2021;

L. On or around September 1, 2021, removing Plaintiff's information, photo, and biography from the Charlottesville Police Department website, despite Plaintiff remaining

employed as Chief until November 30, 2021;

M. On or around September 1, 2021, removing Plaintiff from local task force workgroups, despite Plaintiff remaining employed as Chief until November 30, 2021;

N. On September 2, 2021, revoking Plaintiff's access to the Charlottesville Police Department and city facilities, despite Plaintiff remaining employed as Chief until November 30, 2021;

O. On September 2, 2021, changing Plaintiff's email signature, despite Plaintiff remaining employed as Chief until November 30, 2021.

P. On September 7, 2021, granting Defendant MOONEY a significant pay increase;

Q. On or about September 3, 2021, Plaintiff spoke with Defendant BOYLES about the revocation of access to the building, facilities, systems and resources and Defendant BOYLES said that there was "no need to change" access.

141. On September 3, 2021, Defendant BOYLES stated that he is not changing the language in the press conference that implied a letter shared with the public on August 20, 2021 sharing background information was "her letter" (Dr. Brackney's) despite knowing that the letter was in fact not Dr. Brackney's but instead was Defendant ROBERTSON's draft, and became an edited collaboration between Defendant ROBERTSON, Defendants MOONEY, Defendant BOYLES, and Plaintiff.

A. On or about October 12, 2021 Defendant BOYLES submitted his resignation and states that he stands by decision to terminate Plaintiff;

B. By continuously subjecting Plaintiff to gender, racial, and color discrimination, by treating her adversely and less equally as an employee pending separation from employment, than all others, as no other directors who notified the city of their pending resignations or separation

from employment had their access or privileges terminated, or any similar treatment or actions made against them as set forth in the preceding paragraph, prior to their separation including but not limited to: John Jones, Brian Daley, Mike Murphy, Defendant MOONEY, or Defendant BOYLES, himself; and

C. Defendant BOYLES falsely stated that he conducted six (6) interviews of officers and/or staff regarding their opinions of Chief Brackney and her leadership, for which he based his decision to terminate her from; however no such interviews were conducted.

142. Defendant BROWN tortiously interfered with Plaintiff's at-will employment by:

A. On or around July 12, 2021 at 4:40PM and July 14, 2021 at approximately 12:11PM, Defendant BROWN exchanged in text conversations with Defendant HILL, and made statements regarding Defendant BROWN not being selected for additional ED for PCRB interviews and feeling frustration towards the Plaintiff. Defendant BROWN stated he "didn't get selected" and "it's not right for this town to be hijacked by two individuals. That's a disservice to this community as a whole." (See **Exhibit "G"**);

B. On or around August 2, 2021, at 7:19PM, Defendant BROWN texted to Defendant HILL and stated, "It just occurred to me, in this oversight process more deference is given to a person city leadership has already decided to terminate." (See **Exhibit "G"**);

C. On August 10, 2021, at 3:01PM, in an email exchange between Defendant BROWN and William Mendez, wherein Defendant BROWN sought opinions and revisions regarding a prepared statement regarding Plaintiff's position as Chief, Defendant BROWN writes, "From my understanding, there is a possibility that between now and Thursday the matter may get resolved and there will be no need for a statement." William Mendez replied on August 10, 2021, at 3:09PM asking, "By the matter being "resolved", do you mean the Board may get the Climate Survey, or

perhaps something more significant may happen?? Thanks for pushing.” On August 10, 2021, at 6:22PM, Defendant BROWN replied to William Mendez, stating, “Something more significant may happen.” (See **Exhibit “H”**);

D. On August 12, 2021, email exchange between Defendant BROWN and William Mendez, regarding edits to Defendant BROWN’S prepared presentation for later that day, it is stated that Defendant BROWN’S “hidden objective” was to “get rid of the Chief.” (See **Exhibit “H”**);

E. By subjecting Plaintiff to gender, racial, and color discrimination, on or about August 12, 2021, when Defendant BROWN made the following statements in the PCRB meeting presentation that contributed directly towards the termination of Plaintiff, “There is a crisis in leadership and morale in the Charlotteville Police Department[,]”... “This statement is made without regard to race or gender, but rather to leadership capacity and effectiveness[,]” and “It is my recommendation that community members email and call members of City Council and the City Manager everyday until action is taken...” (See **Exhibit “H”**);

F. Defendant BROWN singled out Plaintiff in the proceeding statements when he stated “[t]his statement is made without regard to race or gender, but rather to leadership capacity and effectiveness” knowing that Plaintiff was the only African American Female in the leadership capacity that Defendant BROWN was referring to and intending to make it clear he was making the statements about the Plaintiff. (See **Exhibit “H”**);

G. On September 1, 2021, Plaintiff was notified of her termination.

143. Defendant WELLS tortiously interfered with Plaintiff’s at-will employment by:

A. On or around August 6, 2021, Defendant WELLS texted Defendant SNOOK regarding the survey and the City Manager’s position. (See **Exhibit “I”**);

B. On or around August 7, 2021, Defendant WELLS texted Defendant SNOOK that Defendant WELLS has a meeting with Defendant BOYLES. (See **Exhibit “I”**);

C. On or about August 10, 2021, Defendant WELLS sent a letter to Defendant HILL regarding their survey and a summary of the results. (See **Exhibit “J”**);

D. On or about August 10, 2021, Defendant WELLS met with Defendant BOYLES and Defendant WELLS mentioned Steve Sellers’ Interim Chief situation and requested a copy of Plaintiff’s employment contract. (See **Exhibit “K”**);

E. On or about August 14, 2021, Defendant WELLS texted Defendant BOYLES a link to the following website: <https://www.schillingshow.com/2021/08/14/truth-out-bellamy-brown-warns-police-oversight-board-of-cpd-leadership-crisis/>; and then requests to schedule another meeting. (See **Exhibit “K”**);

F. On or about August 20, 2021, Defendant WELLS texted Defendant MOONEY threatening to release audios if the CPD released videos related to the Investigation;

G. On or about August 21, 2021, at 11:29 AM, Defendant WELLS texted Defendant BOYLES, “id [*sic*] like to schedule another meeting with you before i [*sic*] decide how to proceed”... “I have more information to share with you... i’d [*sic*] like to share with you to give you the opportunity to process it...recordings...specifically...command staff recordings.” (See **Exhibit “K”**);

H. On or about August 21, 2021, at 12:35 PM, Defendant WELLS texted Defendant BOYLES, “i’m [*sic*] not sure if [*sic*] the rules but city council may want to hear some of this privately.” (See **Exhibit “K”**);

I. On or around August 23, 2021, at 5:00 PM, Defendant WELLS met with Defendant BOYLES and played 1 ½ audio tapes of recorded conversations Defendant WELLS had with

Defendant MOONEY; and discussed why Defendant WELLS thought that “new leadership is needed.” Defendant BOYLES notes, “Nothing New.” (See **Exhibit “K”**);

J. On or about August 23, 2021, at 6:04 PM, Defendant WELLS texted Defendant BOYLES, “I have lots of other things to speak with you about. Does the city human resources do exit interviews with prior employees? Maybe human resources should do surveys periodically?” (See **Exhibit “K”**);

K. There are recordings that express that Defendant WELL’s motivation for conducting the survey was to get Plaintiff fired, as Defendant BOYLES stated, “I can’t defend just going back and forth. This Wells guy, all he has in his sights is the chief’s badge,” ... “He is living 24 hours a day seven days a week to try and get her fired. He can say all he wants to, I think he could care less about the officers. For him, it’s a mission.” (See **Exhibit “L”**).

144. Defendant MAGILL tortiously interfered with Plaintiff’s at-will employment by:

A. On or about August 24, 2021, Defendant MAGILL received a copy of the Survey for her review, from Defendant WELLS, in an email subjected: Meeting request. (See **Exhibit “M”**);

B. On or about August 31, 2021, at 11:00 AM, Defendant MAGILL attended a zoom conference with Defendant WELLS to discuss the survey. (See **Exhibit “M”**);

C. On or about August 31, 2021, Defendant WELLS sent a follow up email to Defendant MAGILL and stated, “I look forward to working with you in the future and making Charlottesville a World Class City again.” (See **Exhibit “M”**).

145. Defendant ROBETSON tortiously interfered with Plaintiff’s at-will employment by:

A. On or about September 1, 2021, Defendant ROBERTSON ordered the IT

Department to access Chief Brackney's email account and copy/archive Chief's emails and change her signatures and fonts, despite Chief still being employed until November 30, 2021.

B. Despite audio recordings that support the assertion that Defendant ROBERTSON ordered the IT Department to access Chief Brackney's email account and copy/archive Chief's emails and change her signatures and fonts, despite Chief still being employed until November 30, 2021, Defendant ROBERTSON then untruthfully claimed she did not instruct such order, contrary to such audio recording claiming that she had.

C. On October 14, 2021, Plaintiff submitted a FOIA request for "Lisa Robertson's and Chip Boyles' properties logs associated with the creation, and editing of the document (script) provided...".

D. To date, the original property logs from August 26, 2021, have not been provided to Dr. Brackney; and instead, Defendant ROBINSON and Defendant BOYLES submitted falsified documents that were in fact contradictory to the audio recordings acquired by Plaintiff.

146. Defendant HILL tortiously interfered with Plaintiff's at-will employment by:

A. On or about June 13, 2021, Defendant HILL contacted Defendant BOYLES, along with Defendant SNOOK, regarding an "all-hands meeting" on June 14, 2021;

B. On or about August 22, 2021, Defendant HILL received a copy of the Survey for her review, from Defendant WELLS in an email subjected: Re: PBA Meeting. (See **Exhibit "N"**);

C. On or about August 24, 2021, at 8:30 AM, Defendant HILL attended a zoom conference with Defendant WELLS to discuss the survey. (See **Exhibit "O"**);

D. On or about August 24, 2021, Defendant HILL attended a meeting with Defendant BOYLES to discuss Defendant MOONEY, Defendant WELLS, and Plaintiff;

E. On or about August 27, 2021, Defendant HILL texted Defendant BOYLES

regarding Defendant MOONEY's leaving. (See **Exhibit "P"**);

F. During the Charlottesville City Council Virtual Meeting on September 7, 2021, Defendant HILL indicated that she knew about the motivation and plans to terminate the Plaintiff and supported terminating Plaintiff. (See **Exhibit "Q"**);

G. Defendant HILL falsely stated that she conducted interviews of members of the community regarding their opinions of Chief Brackney and her leadership; however no such interviews were conducted;

H. On or about October 5, 2021, during an interview with a journalist from Charlottesville Tomorrow, Defendant HILL stated, "[t]his decision to me was never in a very finite period of time. It's been something that has been considered and continued to be considered." Defendant HILL also stated, "[a]nd some acute things happened where a decision had to be made and I do not believe that it was influenced in the way that you [Walker] are presenting by Mr. Wells." (See **Exhibit "L"**).

147. As a proximate result of Defendants' tortious interference, as alleged herein, Plaintiff has suffered, and continues to suffer, substantial losses and damages incurred in lost income, lost future income, bonuses, medical benefits and other compensation, back pay, front pay and in earning capacity in an amount to be determined according to proof.

148. Plaintiff demands judgment against Defendants, a trial by jury on all issues so triable, and any other relief the Court deems just and proper.

FIFTH CAUSE OF ACTION
Unlawful Retaliation
Violation of Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e-3(a))

149. Plaintiff repeats and realleges each and every allegation in the paragraphs above as though fully set forth at length herein.

150. At all times material hereto, Plaintiff was an employee of Defendant as defined by 42 U.S.C. § 2000e-(f).

151. At all times material hereto, Defendant was an employer within the meaning of 42 U.S.C. § 2000e-(b).

152. On June 3, 2021, Plaintiff reported unlawful, criminal, departmentally inappropriate, misogynistic, harassing, and racist behaviors she witnessed in a video provided in a citizen's complaint.

153. Plaintiff was unwarrantedly terminated after the following events:

A. On June 3, 2021, Plaintiff received the initial citizen complaint and video regarding police misconduct and discriminatory behavior involving Defendant's employee, Corporal Robbie Oberholzer;

B. Plaintiff notified Defendant of the initial citizen complaint she received on June 3, 2021;

C. At all times material hereto, Plaintiff was mandated by her employment duties to report and/or conduct an investigation in response to the initial complaint received;

D. An analysis of a forensic report regarding the initial investigation related to the June 3, 2021 citizen complaint, exposed several other suspected unlawful, criminal, and racist behaviors, as well as police violence, corruption, departmentally inappropriate, misogynistic, and/or discriminatory behaviors and harassment and threats within Defendant's police department;

E. Plaintiff, acting within the scope of her employment, took disciplinary and corrective measures, such as disassembling the SWAT team and termination, or suspension, of each individual found to be involved in the unlawful, criminal, threatening and racist behaviors, or any police violence and/or corruption, or departmentally inappropriate, misogynistic, and/or

discriminatory behaviors and harassment.

154. As a result of Plaintiff's actions, as described in the above paragraphs, Defendant, through its agents, servants and/or employees, retaliated against Plaintiff by participating in actions protected under 42 U.S.C. § 2000e-3(a) – Title VII.

155. Title VII of the Civil Rights Act of 1964 prohibits an employer from retaliating against an employee who has “made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing” or participated in any protective activity regarding any charge of unlawful discrimination under this Act.

156. Beginning on, or around June 3, 2021, Plaintiff engaged in Protected Activity when she reported, conducted investigations, and took disciplinary actions against Caucasian employees of Defendant, after finding that they were involved in suspected criminal activities, unlawful and racist behaviors, police violence, corruption, departmentally inappropriate behaviors, misogynistic, and/or discriminatory behaviors, harassment, and threats.

157. Defendant took a material adverse action against Plaintiff, when Defendant terminated Plaintiff on September 1, 2021.

158. Defendant took the material adverse action specifically because Plaintiff participated in Protected Activity, when Defendants publicly stated:

A. On or about September 1, 2021, and September 17, 2021, that Defendant fired Plaintiff, following Plaintiff's engagement in the Protected Activity listed above, because the PBA survey conducted revealed “the officers have lost faith in the department's leadership” and further stated that the PBA's survey and the release of its results occurred during “a difficult reorganization and the recent terminations of employment of members of the city's SWAT Team.” (See **Exhibit “R”**); and

B. On or about September 17-18, 2021, Defendant BOYLES stated in the Daily Progress, that “While great strides were made during Chief Brackney’s time with the department in areas of racial equity and addressing officer conduct, many of these changes came about at the expense of leadership mistrust among many of the officers we depend on to protect and serve our city...” (See **Exhibit “D”**).

159. By retaliating against Plaintiff for making a charge, testifying, assisting, or participating in any manner in an investigation relating to the unlawful behavior, discrimination and harassment, Defendant violated Title VII of the Civil Rights Act of 1964.

160. The retaliatory conduct taken against Plaintiff by Defendant, included, but was not limited to, the following: Wrongfully terminating Plaintiff after she reported and issued lawful investigations against Defendant’s employees.

161. As a direct and proximate result of Defendants’ conduct, by and through their employees and/or agents, as described elsewhere herein, Plaintiff has been caused damage including, but not limited to, mental and emotional distress and anguish; as well as economic damages, including, but not limited to, lost wages.

162. As a further proximate result of Defendant’s unlawful retaliatory conduct, Plaintiff has suffered, and continues to suffer, physical personal injuries, embarrassment, humiliation, mental anguish, and other general damages, all to her detriment, in an amount to be shown according to proof.

163. Moreover, as a result of Defendant’s unlawful conduct, as alleged herein, Plaintiff is entitled to reasonable attorneys’ fees and costs of said suit as provided by 29 U.S. Code § 794a(b).

164. Plaintiff demands judgment against Defendant, a trial by jury on all issues so

triable, and any other relief the Court deems just and proper.

SIXTH CAUSE OF ACTION

In the alternative: Violation of Virginia Code's Whistleblower Statute §2.2-3011

165. Plaintiff repeats and realleges each and every allegation in the paragraphs above as though fully set forth at length herein.

166. At all times material hereto, Plaintiff was an employee of Defendant as defined by the Code of Virginia § 2.2-3010.

167. At all times material hereto, Defendant was an employer within the meaning of the Code of Virginia § 2.2-3010.

168. Beginning June 18, 2018, Plaintiff held the title of City of Charlottesville Chief of Police, until her termination on September 1, 2021. Plaintiff was qualified for the position she held, and worked diligently during her employment.

169. At all times material hereto, Plaintiff's performance was so satisfactory that she received selective awards and numerous praises for her success and achievements within the department.

170. Plaintiff was unwarrantedly terminated after the following events:

A. On June 3, 2021, Plaintiff received the initial citizen complaint and video regarding police misconduct and discriminatory behavior involving Defendant's employee, Corporal Robbie Oberholzer;

B. Plaintiff notified Defendant of the initial citizen complaint received on June 3, 2021;

C. At all times material hereto, Plaintiff was mandated by her employment duties to report and/or conduct an investigation in response to the initial complaint received;

D. An analysis of a forensic report regarding the initial investigation related to the June

3, 2021 Citizen Complaint, exposed several other suspected unlawful, criminal, and racist behaviors, as well as police violence, corruption, departmentally inappropriate, misogynistic, and/or discriminatory behaviors and harassment within Defendant's police department; and

E. Plaintiff, acting within the scope of her employment, took disciplinary and corrective measures, such as disassembling the SWAT team and termination or suspension of each individual found to be involved in the unlawful, criminal, threatening and racist behaviors, or any police violence and/or corruption, or departmentally inappropriate, misogynistic, and/or discriminatory behaviors and harassment.

171. This is an action for violation of the Virginia Code's Whistleblower Statute, §2.2-3011. Virginia Code §2.2-3011 provides, in pertinent part, as follows: "No employer may discharge, threaten, or otherwise discriminate or retaliate against a whistleblower, in whole or in part, because the whistleblower is requested or subpoenaed by an appropriate authority to participate in an investigation, hearing, or inquiry by an appropriate authority or in a court action."

172. Defendant violated the Virginia Whistleblower Statute when it retaliated against Plaintiff for participating in an investigation and for objecting to unlawful, criminal activities, racist behaviors, police violence, corruption, departmentally inappropriate, misogynistic, and/or discriminatory behaviors, harassment and threats perpetuated against her and others by Caucasian employees of the Defendant, namely: Cpl. Robbie Oberholzer, Sgt. Scott Godfrey, Sgt. Michael Hudson, Cpl. James Fink, Cpl. Steve Young, Officer Bethany Denault (Boury).

173. The retaliatory conduct taken against Plaintiff by Defendant, included, but was not limited to, the following: Terminating her employment after she reported, conducted investigations, and took disciplinary actions against Caucasian employees of Defendant after finding that they were involved in unlawful, criminal activities, racist behaviors, police violence,

corruption, departmentally inappropriate, misogynistic, and/or discriminatory behaviors, harassment, and threats.

174. Defendant's actions as described above violated Virginia Statute §2.2-3011 and constituted a prohibitive employment practice.

175. As a proximate result of Defendant's unlawful conduct, as set forth above, Plaintiff has suffered, and continues to suffer, substantial losses incurred in earnings, deferred compensation, earning capacity, back pay, front pay and other employment benefits, all to her detriment, in an amount to be shown according to proof.

176. As a further proximate result of Defendant's unlawful conduct, Plaintiff has suffered and continues to suffer physical personal injuries, embarrassment, humiliation, mental anguish, and other general damages, all to her detriment, in an amount to be shown according to proof.

177. Moreover, as a result of Defendant's conduct, as alleged herein, Plaintiff is entitled to reasonable attorneys' fees and costs of said suit as provided by the Code of Virginia § 2.2-3012 and § 2.2-3011(D).

178. Plaintiff demands judgment against Defendant, a trial by jury on all issues so triable, and any other relief the Court deems just and proper.

SEVENTH CAUSE OF ACTION
In the alternative: Violation of Plaintiffs' Right to
Freedom from Governmental Discrimination
(Va. Const. Art. I, § 11)

179. Plaintiff repeats and realleges each and every allegation in the paragraphs above as though fully set forth at length herein.

180. The Virginia Constitution prohibits government actors from discriminating on the basis of race, providing that "the right to be free from any governmental discrimination upon the

basis of religious conviction, race, color, sex, or national origin shall not be abridged.” Va. Const. Art. I, §11.

181. The Virginia Constitution “is congruent with the federal equal protection clause,” and Virginia courts apply “the standards and nomenclature developed under the equal protection clause of the United States Constitution to claims involving claims of discrimination under Article I, § 11 of the state constitution.” *Wilkins v. West*, 571 S.E.2d 100, 111 (Va. 2002).

182. Defendants’ differential treatment of Plaintiff is based upon her race and is intentional. Defendants’ actions explicitly promote race-based discrimination, and Defendants’ differential treatment of Plaintiff based on her race constitutes unlawful racial discrimination.

183. The Virginia Constitution prohibits government actors from discriminating on the basis of race and creating or permitting a racially hostile environment.

184. Defendants’ differential treatment of Plaintiff, based upon race, has created a racially hostile environment in which the Defendant’s institution, itself, stereotypes and denigrates employees based on their race.

185. Plaintiff cannot avoid the racially hostile environment because it is intentionally woven into many aspects of the Defendant’s institution and the Defendant has publicly acknowledged this racially hostile environment.

186. In 2018, Defendant hired Plaintiff, who is the City of Charlottesville’s first African-American female chief with the intention of combating the Defendant’s deep-rooted issues with systemic racism and police misconduct.

187. On or about August 26, 2021, Defendant BOYLES noted to, and on September 1, 2021, stated to Plaintiff, “I know without a doubt that you will make a great chief in many places, I am just convinced that this community will not allow you to be a great chief here. They never

gave you a chance from day one and you came into an impossible situation and given a nearly impossible vision to meet.” (See **Exhibit “S”**).

188. On September 1, 2021, in response to Plaintiff’s termination, Former Mayor Walker addressed the racism within the department and on Facebook Live stated, “People who are not anti-racist are struggling with a chief who’s trying to create an anti-racist police department and she’s the one out?” Former Mayor Walker continued with stating that the city manager’s decision to get rid of Brackney was a sign that “white supremacy is winning.”

189. On or about September 3, 2021, Defendant BOYLES admitted to systemic racism and police violence within the department and stated, “In order to dismantle systemic racism and eliminate police violence and misconduct in Charlottesville, we need a leader who is not only knowledgeable in that work, but also is effective building collaborative relationships with the community, the department, and the team at City Hall.” (See **Exhibit “A”**).

190. On or around September 3, 2021, Defendant BOYLES stated that his decision to terminate Plaintiff was “for cause” and because she was deemed “not a good fit” for the City of Charlottesville.

191. September 17, 2021, Defendant BOYLES publicly stated, “While great strides were made during Chief Brackney’s time with the department in areas of racial equity and addressing officer conduct, many of these changes came about at the expense of leadership mistrust among many of the officers we depend on to protect and serve our city.” (See **Exhibit “D”**).

192. September 17, 2021, Defendant BOYLES publicly stated, “In hindsight, I would have engaged the City Council more directly in my deliberations and worked in partnership with Chief Brackney to develop an improvement plan. Fact is, I just did not have the luxury of time.” (See **Exhibit “D”**).

193. September 20, 2021, Defendant BOYLES admitted that Plaintiff's character and ability to perform her job was not at issue and he publicly stated, "I in no way intend to malign her character, professional acumen or ability to perform. I am simply indicating "Fit" is more than size and measurements, but feel and function." (See **Exhibit "C"**).

194. The racially hostile environment is so severe, pervasive, and objectively offensive that it drastically undermines Plaintiff's career and effectively deprives her of equal opportunities.

195. The creation of such a racially hostile environment is the responsibility of Defendants because it is directly created by Defendant's employees and policies.

196. Defendants' actions have caused injury to Plaintiff, including depriving her of constitutional and statutory rights.

197. Defendants have no legitimate or compelling government interest in indoctrinating racial stereotypes and treating Plaintiff, or any employee, differently based on race, nor is their practice of doing so narrowly tailored to any such interest.

198. The excuses that the department "did not have the luxury of time," and that its policies have already been in place and it is difficult to change is not an acceptable government interest or reason to continue practicing racial stereotypes and discrimination.

199. Defendant's actions have caused Plaintiff injury, including depriving her of her statutory and constitutional rights.

200. Plaintiff demands judgment against Defendant, a trial by jury on all issues so triable, and any other relief the Court deems just and proper.

EIGHTH CAUSE OF ACTION
Defamation
(Va. Code § 18.2-417)

201. Plaintiff repeats and realleges each and every allegation in the paragraphs above as though fully set forth at length herein.

202. Under §18.2-417 of the Virginia Code, it is unlawful to intentionally make false communications to another about a person that damages such person's reputation.

203. The website CBS19News.com is of worldwide general circulation.

204. The station CBS19 News: Charlottesville News First ("CBS19 News"), is a public broadcasting and media production company and TV channel.

205. CBS19 News at 11:00 p.m. is publicly broadcasted on television and internet streaming services.

206. CBS19 News Facebook has over 56,413 people following their stories.

207. On or about October 4, 2021, Defendant SNOOK interviewed on CBS19 News 11:00PM News, explaining he supported the decision to fire Plaintiff because: "Even Black women officers were leaving." (See **Exhibit "E"**).

208. Defendant SNOOK made such comments, as listed above, implying that "black women officers" were leaving because they did not support the Plaintiff as Chief.

209. The statement is libel per se, made with actual malice, knowledge of the false statements contained therein, and/or reckless discard for the truth.

210. On February 17, 2022, Plaintiff submitted a FOIA request for "all records, notes, text messages, emails and other written documents related to Lloyd SNOOK's public statements regarding Chief Brackney," specifically referencing Defendant SNOOK's October 4, 2021 comment on CBS19 News: "Even Black women officers were leaving." (See **Exhibit "T"**).

211. On March 8, 2022, FOIA Officer, Teresa Pollak, replied to Plaintiff's request for information stating, "Regarding this request, the City does not have any responsive documents in its possession." (See **Exhibit "T"**).

212. Defendant SNOOK knew the information in his October 4, 2021 comment was false; or believing the information to be true, he lacked reasonable grounds for such belief; or acted negligently in failing to ascertain the facts on which the public statements were based and therefore the Defendant was negligent in the public broadcasting of such statements, the content of which the Defendant stated, authorized, and ratified.

213. Defendant SNOOK specifically made such comments to harm Plaintiff's reputation as a Chief of Police, and falsely stated and implied that "black women officers" did not support Plaintiff as Chief of Police.

214. Defendant SNOOK made such comment knowing it would be displayed on all of CBS19 News platforms, including, but not limited to, CBS19 News 11:00PM News, CBS19 News Facebook, CBS19 News Twitter, CBS19 News Instagram, and on CBS19News.com

215. The defamatory statements and articles published, quoting the statements, which were authorized and ratified by the Defendant, create and makes apparent a substantial danger to the Plaintiff's reputation and professional career.

216. On or about September 2021, Defendant BOYLES authored and published several press releases and made several comments regarding the termination of Plaintiff.

217. The following particular statements were false, libelous and slanderous of the Plaintiff:

A. On September 3, 2021, Defendant BOYLES published a press release that stated: "However, in order to dismantle systemic racism and eliminate police violence and misconduct in

Charlottesville, we need a leader who is not only knowledgeable in that work, but also is effective building collaborative relationships with the community, the department, and the team at City Hall [...] [w]hile very good work and progress has been made, I ultimately decided new leadership was required to continue the City's progress towards building a new climate and culture within the department.” (See **Exhibit “A”**);

B. On September 3, 2021, Defendant published a press release insinuating Plaintiff's termination was “for cause” stating she was “not a good fit”;

C. On September 3, 2021, Defendant BOYLES stated that he is not changing the language in the press conference that implied a letter shared with the public on August 20, 2021 sharing background information was “her letter” (Dr. Brackney's) despite knowing that the letter was in fact not Dr. Brackney's but instead was Defendant ROBERTSON's draft, and became an edited collaboration between Defendant ROBERTSON, Defendants MOONEY, Defendant BOYLES, and Plaintiff;

D. On September 17, 2021, Defendant BOYLES wrote an Op-Ed in Daily Progress stating, “[d]espite successes in modernizing the department, recent public statements made by the Virginia Police Benevolent Association brought to the public's attention two officer surveys assessing officers' opinions of the current state of leadership in the department. These surveys revealed substantial concerns of trust and confidence in the leadership. I found these concerns troubling, especially when factoring in the known strained relationships across government, community, religious and regional stakeholder groups. These relationships are critically important; and when internal and external strife are present, it is imperative to act. [...] In hindsight, I would have engaged the City Council more directly in my deliberations and worked in partnership with Chief Brackney to develop an improvement plan. Fact is, I just did not have the luxury of time. I

found the moment critical to act and felt the larger community would respect my intentions to guide our police department to a stable and evolving law enforcement outfit capable of making all residents safe, respected, and proud.” (See **Exhibit “D”**); and

E. September 20, 2021, during a Council meeting Defendant BOYLES stated, “I in no way intend to malign her character, professional acumen or ability to perform. I am simply indicating “Fit” is more than size and measurements, but feel and function.” (See **Exhibit “C”**).

218. The articles and press conferences are libel per se, made with actual malice, knowledge of the false statements contained therein, and/or reckless discard for the truth.

219. Defendants either knew the articles, or language, in the press releases were false, or believing them to be true lacked reasonable grounds for such belief, or acted negligently in failing to ascertain the facts on which the publications were based and therefore Defendants are negligent in the authorship and publications of the articles and press releases, the content of which Defendants authorized and ratified.

220. Defendant BOYLES specifically made such comments to harm Plaintiff’s reputation as a Chief of Police, and falsely stated and implied that she was “not a good fit” for the position based on a survey conducted.

221. Defendant BOYLES specifically made such comments to harm Plaintiff’s reputation as a Chief of Police, and falsely stated and implied that she was not a “knowledgeable” leader and “ineffective” in “building collaborative relationships” and a “new leader” was “required” to allow the City to “progress towards building a new climate and culture within the department,” despite Plaintiff maintaining position as Chief of Police until November 30, 2021.

222. Defendant BOYLES specifically made such comments to harm Plaintiff’s reputation as a Chief of Police, and falsely stated and implied that he did not have “the luxury of

time” and it was “critical” that he terminate the Plaintiff on September 1, 2021.

223. Defendant BOYLES specifically made such comments to harm Plaintiff’s reputation as a Chief of Police, and falsely stated, and implied, that while Plaintiff was Chief, the department was “unstable” and “nonevolving” and “incapable” of “making all residents safe, respected, and proud,” despite Plaintiff maintaining position as Chief of Police until November 30, 2021.

224. Defendant BOYLES specifically made such comments to harm Plaintiff’s reputation as a Chief of Police, and falsely stated and implied that the officers in the department had “concerns of trust and confidence in the leadership” of the Plaintiff, based on the Survey, which was conducted immediately after Plaintiff reported, investigated, and took disciplinary and corrective action against employees of Defendant, after finding that they were involved in racist, departmentally inappropriate behaviors, misogynistic, and/or discriminatory behaviors and/or harassment.

225. Defendant BOYLES specifically made such comments to harm Plaintiff’s reputation as a Chief of Police, and falsely stated, and implied that, based on six (6) interviews, the officers and staff in the department had issues with Plaintiff’s leadership as Chief; however no such interviews occurred.

226. On September 18, 2022, Plaintiff submitted a FOIA request for “all of Chip Boyles’ records to include emails, text messages, and notes from any interviews conducted with CPD personnel referencing the PBA and/or CPD’s surveys, or Chief Brackney. To include the interviews of the “good” officers Chip Boyles indicated were going to immediately leave due to Chief Brackney’s leadership” (See **Exhibit “U”**).

227. On October 5, 2022, FOIA Officer, Defendant WHEELER, replied to Plaintiff’s

request for information stating, “The records responsive to your request are attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.” Enclosed in the attachment were no records supporting any such interviews ever being scheduled or occurring. (See **Exhibit “U”**).

228. Defendant BOYLES specifically made such comments to harm Plaintiff’s reputation as a Chief of Police, and falsely stated and implied that Plaintiff did not have the “right” “feel and function” to be Chief of Police, despite Plaintiff maintaining position as Chief of Police until November 30, 2021.

229. The defamatory statements and articles create, and make apparent, a substantial danger to the Plaintiff’s reputation.

230. On or about October 21, 2021, Defendant DURRETTE authorized and requested that the Charlottesville Police Department website alter and remove the Plaintiff, Dr. Brackney’s information and biography from the website, despite Plaintiff’s Employment Agreement providing that she shall hold the Chief of Police position until November 30, 2021, stating “Nathan and I updated the Police web pages on the City’s website and removed the pages for Chief Brackney and Major Mooney and updated your page to reflect you are now the Assistant Chief and Major Durette.”

231. Defendants either knew the articles, or language, altered on the CPD website was false, or believing them to be true, lacked reasonable grounds for such belief, or acted negligently in failing to ascertain the facts on which the publications were based, and therefore, Defendants are negligent in the authorship and publications of the articles and language on the CPD website, the content of which the Defendant authorized and ratified.

232. Defendant DURRETTE specifically made such premature alterations to the website to harm Plaintiff's reputation as a Chief of Police, and falsely stated and implied that he was "Chief of Police" for the City of Charlottesville on October 21, 2021.

233. The defamatory statements and articles create and makes apparent a substantial danger to the Plaintiff's reputation.

234. As a proximate result of the Defendant's libel, slander, malice, and negligence, the Plaintiff has been caused to suffer permanent actual damages, including but not limited to impairment of reputation, diminished standing in the community, personal humiliation, mental anguish, and suffering.

235. Plaintiff demands judgment against Defendant, a trial by jury on all issues so triable, and any other relief the Court deems just and proper.

NINTH CAUSE OF ACTION
Business Conspiracy
(Va. Code § 18.2-499 *et seq.*)

236. Plaintiff repeats and realleges each and every allegation in the paragraphs above as though fully set forth at length herein.

237. Virginia Code § 18.2-499 *et seq.* imposes liability on "[a]ny two or more persons who combine, associate, agree, mutually undertake or concert together for the purpose of (i) willfully and maliciously injuring another in his reputation, trade, business or profession by any means whatever [...]. See Virginia Code § 18.2-499.

238. Defendants conspired and agreed to mutually undertake or concert together for the purpose of willfully and maliciously injuring Plaintiff's reputation.

239. On or about June 13, 2021, Defendant BOYLES was contacted by Defendant HILL, along with Defendant SNOOK, regarding "all-hands meeting" on June 14, 2021.

240. Defendants gathered or convened to assemble a 17 question PBA survey with questions specifically negatively worded and targeting Plaintiff.

241. Such survey was conducted after, and because of, Plaintiff's recent investigation and disciplinary actions against former and current employees namely: Cpl. Robbie Oberholzer, Sgt. Scott Godfrey, Sgt. Michael Hudson, Cpl. James Fink, Cpl. Steve Young, Officer Bethany Denault (Boury).

242. Defendant did not conduct a similar survey on any Caucasian male employees in leadership roles.

243. Defendants organized and conducted the 17 question PBA survey with the intention, and expectations, of receiving negative feedback regarding the Plaintiff and her role as Chief of Police.

244. There are recordings that express that Defendant WELL's motivation for conducting the survey was to get Plaintiff fired, as Defendant BOYLES stated, "I can't defend just going back and forth. This Wells guy, all he has in his sights is the chief's badge," ... "He is living 24 hours a day seven days a week to try and get her fired. He can say all he wants to, I think he could care less about the officers. For him, it's a mission." (See **Exhibit "L"**).

245. On or around July 12, 2021 at 4:40PM, and July 14, 2021 at approximately 12:11PM, Defendant BROWN exchanged in text conversations with Defendant HILL, and made statements regarding Defendant BROWN not being selected for additional ED for PCRB interviews and feeling frustration towards the Plaintiff: Defendant BROWN stated he "didn't get selected" and "it's not right for this town to be hijacked by two individuals. That's a disservice to this community as a whole." (See **Exhibit "G"**).

246. On or around August 2, 2021, at 7:19PM, Defendant BROWN texted to Defendant

HILL and stated, "It just occurred to me, in this oversight process more deference is given to a person city leadership has already decided to terminate." (See **Exhibit "G"**).

247. On or around August 6, 2021, Defendant WELLS texted Defendant SNOOK regarding surveys and the City Manager's position. (See **Exhibit "I"**).

248. On or around August 7, 2021, Defendant WELLS texted Defendant SNOOK that Defendant WELLS had a meeting with Defendant BOYLES. (See **Exhibit "I"**).

249. On or about August 10, 2021, Defendant WELLS sent a letter to Defendant HILL regarding their survey and a summary of the results. (See **Exhibit "J"**).

250. On or about August 10, 2021, Defendant WELLS met with Defendant BOYLES and Defendant WELLS mentioned Steve Sellers' Interim Chief situation and requested a copy of Plaintiff's employment contract. (See **Exhibit "K"**).

251. On August 10, 2021, at 3:01PM, in an email exchange between Defendant BROWN and William Mendez, wherein Defendant BROWN sought opinions and revisions regarding a prepared statement regarding Plaintiff's position as Chief, Defendant BROWN wrote, "From my understanding, there is a possibility that between now and Thursday the matter may get resolved and there will be no need for a statement." William Mendez replied August 10, 2021, at 3:09PM asking, "By the matter being "resolved", do you mean the Board may get the Climate Survey, or perhaps something more significant may happen?? Thanks for pushing." On August 10, 2021, at 6:22PM, Defendant BROWN replied to William Mendez, stating, "Something more significant may happen." (See **Exhibit "H"**).

252. In an August 12, 2021, email exchange between Defendant BROWN and William Mendez, regarding edits to Defendant BROWN'S prepared presentation for later that day, it is stated that Defendant BROWN'S "hidden objective" was to "get rid of the Chief." (See **Exhibit**

“H”).

253. On or around August 18, 2021, Defendant MOONEY met with Defendant BOYLES to discuss the 17 question PBA Survey, related to, and conducted due to Plaintiff’s recent investigation and disciplinary actions against former and current employees namely: Cpl. Robbie Oberholzer, Sgt. Scott Godfrey, Sgt. Michael Hudson, Cpl. James Fink, Cpl. Steve Young, Officer Bethany Denault (Boury);

254. On or about August 20, 2021, Defendant WELLS texted Defendant BOYLES a link to the website as follows: <https://www.schillingshow.com/2021/08/14/truth-out-bellamy-brown-warns-police-oversight-board-of-cpd-leadership-crisis/>. (See **Exhibit “K”**).

255. On or about August 20, 2021, Defendant WELLS texted Defendant MOONEY threatening to release the audio if the CPD releases videos related to the Investigation.

256. On or about August 21, 2021, at 11:29 AM, Defendant WELLS texted Defendant BOYLES, “id [sic] like to schedule another meeting with you before i [sic] decide how to proceed”... “I have more information to share with you... i’d [sic] like to share with you to give you the opportunity to process it...recordings...specifically...command staff recordings.” (See **Exhibit “K”**).

257. On or about August 21, 2021, at 12:35 PM, Defendant WELLS texted Defendant BOYLES, “i’m [sic] not sure if [sic] the rules but city council may want to hear some of this privately.” (See **Exhibit “K”**).

258. On or about August 22, 2021, Defendant HILL received a copy of the Survey for her review from Defendant WELLS, in an email subjected: Re: PBA Meeting. (See **Exhibit “N”**).

259. On or around August 23, 2021, at 5:00 PM, Defendant WELLS met with Defendant BOYLES and played 1 ½ audio tapes of recorded conversations Defendant WELLS had with

Defendant MOONEY; and discussed why Defendant WELLS thought that “new leadership is needed.” Defendant BOYLES notes, “Nothing New.” (See **Exhibit “K”**).

260. On or about August 23, 2021, at 6:04 PM, Defendant WELLS texted Defendant BOYLES, “I have lots of other things to speak with you about. Does the city human resources do exit interviews with prior employees? Maybe human resources should do surveys periodically?” (See **Exhibit “K”**).

261. On or about August 24, 2021, at 8:30 AM, Defendant HILL attended a zoom conference with Defendant WELLS to discuss the survey. (See **Exhibit “O”**).

262. On or about August 24, 2021, Defendant MAGILL received a copy of the Survey for her review from Defendant WELLS, in an email subjected: Meeting request. (See **Exhibit “M”**).

263. On or about August 24, 2021, Defendant HILL attended a meeting with Defendant BOYLES to discuss Defendant MOONEY, Defendant WELLS, and Plaintiff.

264. On or around August 25, 2021, Defendant MOONEY announced he will be retiring effective August 30, 2021, and that he (Defendant Mooney) is worried about the audio being released.

265. On or around August 25, 2021, Defendant MOONEY stated that he “speaks before he thinks” and that he (Defendant Mooney) “has not always supported [Plaintiff].”

266. On August 26, 2021, Defendant BOYLES had an audio-recorded meeting with Dr. Brackney during which he indicated his confidence in her abilities as Chief.

267. On or about August 27, 2021, Defendant HILL texted Defendant BOYLES regarding Defendant MOONEY’s leaving. (See **Exhibit “P”**).

268. On or about August 31, 2021, at 11:00 AM, Defendant MAGILL attended a zoom

conference with Defendant WELLS to discuss the survey. (See **Exhibit “M”**).

269. On or about August 31, 2021, Defendant WELLS sent a follow up email to Defendant MAGILL and stated, “I look forward to working with you in the future and making Charlottesville a World Class City again.” (See **Exhibit “M”**).

270. On or before September 1, 2021, Defendant MOONEY stated that if Plaintiff was terminated, then he would return from retirement and remain in his position.

271. On or before September 1, 2021, Defendant MOONEY revoked his retirement.

272. On September 1, 2021, Plaintiff was notified of her termination “without-cause”.

273. On September 1, 2021, Defendant BOYLES issued a City Press release announcing that Plaintiff had been terminated, and that Defendant MOONEY would no longer be retiring.

274. On September 1, 2021, Defendants further conspired and agreed to mutually undertake or concert together, for the purpose of willfully and maliciously injuring Plaintiff’s reputation, by ordering the following actions:

A. On September 1, 2021, Defendant MOONEY instructed all supervisors to call their employees to inform them of Plaintiff’s termination.

B. On or around September 1, 2021, terminating Plaintiff’s access to all police and law enforcement systems;

C. On September 1, 2021, terminating Plaintiff’s access to city issued credit card;

D. On or around September 1, 2021, requiring Plaintiff to make appointments to work in her own office;

E. On or around September 1, 2021, requiring Plaintiff to be escorted throughout facilities while at work;

F. On or around September 1, 2021, requiring Plaintiff to request permission, which

was ultimately denied, from subordinates to access law enforcement systems;

G. On September 1, 2021, removing Plaintiff's photo from the interior lobby;

H. On or around September 1, 2021, removing Plaintiff's information, photo, and biography from the Charlottesville Police Department website;

I. On September 1, 2021, removing Plaintiff from local task force workgroups;

J. On September 2, 2021, revoking Plaintiff's access to the Charlottesville Police Department and city facilities; and

K. On September 2, 2021, changing Plaintiff's email signature.

275. On or about September 3, 2021, Plaintiff spoke with Defendant BOYLES about the revocation of access to the building, facilities, systems, and resources and Defendant BOYLES said that there was "no need to change."

276. Between September 2021, through the present, Defendants have made numerous public statements harming Plaintiff's reputation, and leading the public to believe she was unfit for the role as Chief of Police, such statements include but are not limited to:

A. The September 1-3, 2021, press releases;

B. The September 17, 2021, Op-Ed in Daily Progress article;

C. The statements made during the September 20, 2021, Council meeting; and

D. The October 4, 2021, CBS19 News 11:00PM interview.

277. During the Charlottesville City Council Virtual Meeting on September 7, 2021, Defendant HILL indicated that she knew about the motivation and plans to terminate the Plaintiff and supported terminating Plaintiff. (See **Exhibit "Q"**).

278. October 5, 2021, during an interview with a journalist from Charlottesville Tomorrow, Defendant HILL stated, "This decision to me was never in a very finite period of time.

It's been something that has been considered and continued to be considered," Hill said. "And some acute things happened where a decision had to be made and I do not believe that it was influenced in the way that you [Walker] are presenting by Mr. Wells." (See **Exhibit "L"**).

279. The combination of two, or more, Defendants gathered or assembled together, and/or attempted to procure the participation or cooperation of another to enter into a business conspiracy, for the purpose of willfully or maliciously injuring the Plaintiff in reputation or profession, resulting in damage to the Plaintiff.

280. As a proximate result of Defendant's unlawful actions, as set forth above, Plaintiff has suffered, and continues to suffer substantial losses incurred in seeking subsequent comparable employment, earnings, deferred compensation, earning capacity, back pay, front pay and other employment benefits, all to her detriment, in an amount to be shown according to proof.

281. As a further proximate result of Defendant's unlawful actions, Plaintiff has suffered and continues to suffer physical personal injuries, embarrassment, humiliation, mental anguish, and other general damages, all to her detriment, in an amount to be shown according to proof.

282. Plaintiff demands judgment against Defendant, a trial by jury on all issues so triable, and any other relief the Court deems just and proper.

TENTH CAUSE OF ACTION

In the alternative: Violation of Virginia Human Rights Act
(Va. Code § 2.2-3900-3908)

283. Plaintiff repeats and realleges each and every allegation in the paragraphs above as though fully set forth at length herein.

284. Pursuant to the Code of Virginia and the Virginia Human Rights Act (VA HRA), it is unlawful to discriminate "in employment" because of race, color, sex, or gender. Va. Code § 2.2-3900.

285. Defendants' differential treatment of Plaintiff is based on her race, color, and that she is a female, and the differential treatment was intentional. Defendants' actions explicitly promote gender, sex, color and race-based discrimination and Defendants' differential treatment of Plaintiff based on her race, color and gender constitutes unlawful discrimination.

286. The Code of Virginia also prohibits employers from creating or permitting a discriminatory hostile environment. *See* Va. Code § 2.2-3900-3908.

287. Defendants' differential treatment of Plaintiff based upon race has created a racially hostile environment in which the Defendant's institution, itself, stereotypes and denigrates employees based on their race.

288. Plaintiff cannot avoid the racially hostile environment because it is intentionally woven into many aspects of the Defendant's institution, and the Defendant has publicly acknowledged this racially hostile environment.

289. In 2018, Defendant hired Plaintiff, who is the City of Charlottesville's first African-American female chief, with the intention of combating the Defendant's deep-rooted issues with systemic racism and police misconduct.

290. On or about August 26, 2021, Defendant BOYLES noted to, and on September 1, 2021, stated to Plaintiff, "I know without a doubt that you will make a great chief in many places, I am just convinced that this community will not allow you to be a great chief here. They never gave you a chance from day one and you came into an impossible situation and given a nearly impossible vision to meet." (See **Exhibit "S"**).

291. On September 1, 2021, in response to Plaintiff's termination, Former Mayor Walker addressed the racism within the department and on Facebook Live stated, "People who are not anti-racist are struggling with a chief who's trying to create an anti-racist police department

and she's the one out?" Former Mayor Walker continued with stating that the city manager's decision to get rid of Brackney was a sign that "white supremacy is winning."

292. On or about September 3, 2021, Defendant BOYLES admitted to systemic racism and police violence within the department and stated, "In order to dismantle systemic racism and eliminate police violence and misconduct in Charlottesville, we need a leader who is not only knowledgeable in that work, but also is effective building collaborative relationships with the community, the department, and the team at City Hall." (See **Exhibit "A"**).

293. Defendants have engaged in intentional racial and color discrimination in the terms and conditions of the Plaintiff's employment, including, but not limited to, the Plaintiff's termination.

294. Defendant's racial and color discrimination included, but was not limited to, the following:

A. By subjecting Plaintiff to a hostile and offensive environment, as Caucasian male employees made videos of racist and color discriminatory content on company phones, an action Plaintiff was required to investigate, and Plaintiff, who is African-American was subsequently ridiculed, berated, surveyed, and ultimately fired for taking disciplinary action against such employee and those involved;

B. By conducting a 17 question PBA Survey that was specifically intended to target and highlight Plaintiff in a negative manner. Such survey was conducted after, and because of, Plaintiff's recent investigation and disciplinary actions against former and current employees namely: Cpl. Robbie Oberholzer, Sgt. Scott Godfrey, Sgt. Michael Hudson, Cpl. James Fink, Cpl. Steve Young, Officer Bethany Denault (Boury), and Defendant did not conduct a similar survey on any Caucasian male employees in leadership roles;

C. Retaliating against Plaintiff by terminating her employment for reporting, investigating, and taking disciplinary and corrective action against Caucasian employees of Defendant, after finding that they were involved in racist, and departmentally inappropriate, behaviors, misogynistic, and/or discriminatory behaviors and/or harassment and by not terminating said Caucasian male employees.

D. By declaring Plaintiff was “not a good fit,” on or around September 3, 2021, when Defendant BOYLES stated that his decision to terminate Plaintiff was “for cause” and because she was deemed “not a good fit” for the City of Charlottesville;

E. September 17, 2021, Defendant BOYLES publicly stated, “While great strides were made during Chief Brackney’s time with the department in areas of racial equity and addressing officer conduct, many of these changes came about at the expense of leadership mistrust among many of the officers we depend on to protect and serve our city.” (See **Exhibit “D”**);

F. September 17, 2021, Defendant BOYLES publicly stated, “In hindsight, I would have engaged the City Council more directly in my deliberations and worked in partnership with Chief Brackney to develop an improvement plan. Fact is, I just did not have the luxury of time.” (See **Exhibit “D”**);

G. By declaring Plaintiff did not have the right “feel and function,” on September 20, 2021, when Defendant BOYLES publicly stated, “I in no way intend to malign her character, professional acumen or ability to perform. I am simply indicating “Fit” is more than size and measurements, but feel and function.” (See **Exhibit “C”**);

H. On or about October 4, 2021, Defendant SNOOK interviewed on CBS19 News 11:00PM News, explaining that he supported the decision to fire Plaintiff because: “Even Black women officers were leaving. [...] These were her hand-picked people...” (See **Exhibit “E”**);

I. By continuously subjecting Plaintiff to racial discrimination, by treating her differently and less equally as an employee pending separation from employment, than other Caucasian employees (on the LEAD team or Director positions), as no Caucasian LEAD team members or Caucasian directors, who notified the city of their pending resignations or separation from employment, had their access or privileges terminated, or any similar treatment or actions made against them as set forth in the preceding paragraph, prior to their separation including but not limited to: John Jones, Brian Daley, Mike Murphy, Defendant BOYLES, Defendant WHEELER, or Defendant MOONEY.

295. Defendants have also engaged in intentional sex and gender discrimination in the terms and conditions of the Plaintiff's employment, including, but not limited to, the Plaintiff's termination.

296. Defendant's sex and gender discrimination included, but was not limited to, the following:

A. By subjecting Plaintiff to a hostile and offensive environment, as male employee made videos of nude female content on company phones, an action Plaintiff, who is female, was required to investigate, and Plaintiff was subsequently ridiculed, berated, surveyed, and ultimately fired for taking disciplinary action against such employee and those involved;

B. By conducting a 17 question PBA Survey that was specifically intended to target and highlight Plaintiff in a negative manner. This survey was conducted after, and because of, Plaintiff's recent investigation and disciplinary actions against former and current employees namely: Cpl. Robbie Oberholzer, Sgt. Scott Godfrey, Sgt. Michael Hudson, Cpl. James Fink, Cpl. Steve Young, Officer Bethany Denault (Boury). and Defendant did not conduct a similar survey on any Caucasian male employees in leadership roles;

C. Retaliating against Plaintiff by terminating her employment for reporting, investigating, and taking disciplinary and corrective action against employees of Defendant, after finding that they were involved in racist, departmentally inappropriate behaviors, misogynistic, and/or discriminatory behaviors and/or harassment and by not terminating male employees;

D. By declaring Plaintiff was “not a good fit,” on or around September 3, 2021, when Defendant BOYLES stated that his decision to terminate Plaintiff was “for cause” and because she was deemed “not a good fit” for the City of Charlottesville;

E. By declaring Plaintiff did not have the right “feel and function,” on September 20, 2021, when Defendant BOYLES publicly stated, “I in no way intend to malign her character, professional acumen or ability to perform. I am simply indicating “Fit” is more than size and measurements, but feel and function.” (See **Exhibit “C”**);

F. By continuously subjecting Plaintiff to gender discrimination, by treating her differently and less equally as an employee pending separation from employment, than all male others (on the LEAD team or Director positions), as no LEAD team members or directors, who notified the city of their pending resignations or were notified by the City of Charlottesville of their pending separation from employment, had their access or privileges terminated, or any similar treatment or actions made against them as set forth in the preceding paragraph, prior to their separation including but not limited to: John Jones, Brian Daley, Mike Murphy, Defendant BOYLES, or Defendant MOONEY.

297. The racially hostile and sexist environment is so severe, pervasive, and objectively offensive that it drastically undermines Plaintiff’s career and effectively deprives her of equal opportunities.

298. The creation of such a racially hostile and sexist environment is the responsibility

of Defendants because it is directly created by Defendant's employees and policies.

299. Defendants' actions have caused injury to Plaintiff, including depriving her of constitutional and statutory rights.

300. Defendants have no legitimate or compelling government interest in indoctrinating sexist or racial stereotypes and treating Plaintiff, or any employee, differently based on sex or race, nor is their practice of doing so narrowly tailored to any such interest.

301. The excuses that the department "did not have the luxury of time," and that its policies have already been in place and it is difficult to change is not an acceptable government interest or reason to continue practicing racial stereotypes and discrimination.

302. On November 9, 2021, Plaintiff filed timely charges with the Charlottesville Office of Human Rights and Human Resource Office, in addition to a complaint on December 13, 2021, with the Virginia Office of the Attorney General – Civil Rights Division ("OCR"). On January 19, 2022, the OCR acknowledged receipt of Plaintiff's complaint, and on February 8, 2022, the Attorney General's Office referred the case to the U.S. Equal Employment Opportunity Commission.

303. As a proximate result of Defendant's unlawful discrimination, as set forth above, Plaintiff has suffered and continues to suffer substantial losses incurred in seeking subsequent comparable employment, earnings, deferred compensation, earning capacity, back pay, front pay and other employment benefits, all to her detriment, in an amount to be shown according to proof.

304. As a further proximate result of Defendant's unlawful discrimination, Plaintiff has suffered and continues to suffer physical personal injuries, embarrassment, humiliation, mental anguish, and other general damages, all to her detriment, in an amount to be shown according to proof.

305. Plaintiff demands judgment against Defendant, a trial by jury on all issues so triable, and any other relief the Court deems just and proper.

ELEVENTH CAUSE OF ACTION
Violation of Plaintiffs' Right to Freedom of Information
(Va. Code § 2.2-3704)

306. Plaintiff repeats and realleges each and every allegation in the paragraphs above as though fully set forth at length herein.

307. Virginia's Freedom of Information Act (FOIA) grants Virginia citizens access to all public records pursuant to §2.2-3704(A).

308. At all times relevant, Plaintiff was a resident of the Commonwealth of Virginia.

309. On September 18, 2021, Plaintiff submitted a FOIA request for "all records including the documents read by Chip Boyles' during his meetings with Chief Brackney on August 26, 2021, and September 1, 2021, and his briefings to Council on September 7, 2021, referencing the termination of Chief R. Brackney's employment contract". (See **Exhibit "V"**).

310. In response to Plaintiff's request, Defendant WHEELER, FOIA Officer of Communications, wrote, "The records responsive to your request are attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document." Upon inquiry from Plaintiff regarding the script Defendant BOYLES was reading during their August 26, 2021, meeting, on October 13, 2021, Defendant WHEELER replied, "I met with Chip and Lisa today. Attached is an additional record provided by Chip ("the script") for August 26. We made a mistake sending you the redacted September 1 notes. The unredacted version is attached." (See **Exhibit "V"**).

311. The unredacted "script" that Defendant WHEELER, Defendant ROBERTSON, and Defendant BOYLES, subsequently provided to Plaintiff, was not the same script that was read by Defendant BOYLES during the August 26, 2021 meeting, as such script does not mirror the language that is reflected in the audio recording of the August 26 meeting.

312. On October 14, 2021, Plaintiff submitted a FOIA request for "Lisa Robertson's and

Chip Boyles' properties logs associated with the creation, and editing of the document (script) provided...". (See **Exhibit "V"**).

313. No documents responsive to this October 14, 2021, FOIA request were provided.

314. It is a violation of Virginia's Freedom of Information Act to alter or destroy requested information. See § 2.2-3714.

315. Plaintiff demands judgment against Defendant, a trial by jury on all issues so triable, and any other relief the Court deems just and proper.

DEMAND FOR JURY TRIAL

316. Plaintiff demands a trial by jury on all counts set forth herein.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiff, Dr. Brackney, respectfully prays the entry of judgment against the Defendants pursuant to an order awarding ten million dollars (\$10,000,000.00):

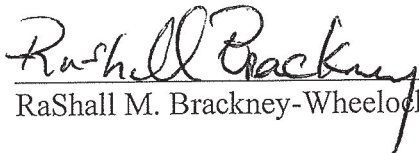
A. For special and economic damages, including, but not limited to lost employment, lost wages, lost back pay and front pay, lost future income, compensatory damages, and lost employee benefits, and other special and economic damages to be shown according to proof, for the first, through the eleventh causes of action;

B. For other special, economic and non-economic damages, including, but not limited to impairment of reputation and standing in the community, lost potential employment opportunities, diminished character, lost public speaking engagement opportunities, and other special and general damages to be shown according to proof, for the first, through the eleventh, causes of action;

C. For general damages and non-economic damages, including but not limited to mental and emotional distress damages, mental anguish, personal humiliation, shame, and disgrace, and other special and general damages to be shown according to proof, for the first,

through the eleventh, causes of action;

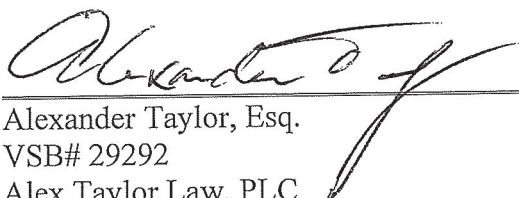
- D. For an award of interest, including prejudgment interest, at the legal rate;
- E. For punitive damages;
- F. For Attorney costs and fees of suit herein incurred; and
- G. For all such other, and further, relief as the Court may deem proper.


RaShall M. Brackney-Wheelock, Ph.D.

Respectfully submitted,
RASHALL M. BRACKNEY-WHEELOCK, PH.D.

Dated: June 15, 2022

By and through her counsel


Alexander Taylor, Esq.
VSB# 29292
Alex Taylor Law, PLC
1622 West Main Street
Richmond, VA 23220
Tel: 804-239-9232
Fax: 866-446-6167
alextaylor@alextaylorlaw.com

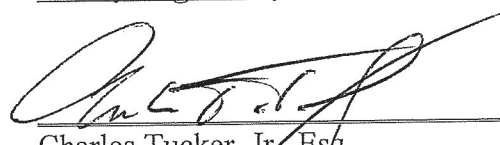

Charles Tucker, Jr., Esq.
MD Bar # 0808260001
Tucker Moore Group, LLP
8181 Professional Place
Hyattsville, MD 20785
Email: charles@tuckerlawgroupllp.com
Telephone: 301-577-1175
Facsimile: 240-467-5787
**Pro Hac Vice applications forthcoming*

EXHIBIT A

POLICING, GOVERNMENT + POLITICS

'We need a leader effective at building relationships' — City manager announces search for Police Chief Brackney's replacement



CHARLOTTE RENE WOODS

@charlottewords

cwoods@cvilletomorrow.org

4 MIN READ

Friday, September 3, 2021, at 5:13 PM



SHARE

Free newsletter

Local news headlines, 2-3x a week

Email address

SIGN UP TODAY

Two days after firing Charlottesville Police Chief RaShall Brackney with [no explanation](#), City Manager Chip Boyles [announced a national search](#) for her replacement and indicated the ability to build relationships was a reason for her departure.

Boyles expressed support for Brackney's work to reform the department and for an Aug. 20 unsigned news release that he calls "her letter." But, Boyles said, new leadership was needed.

"In order to dismantle systemic racism and eliminate police violence and misconduct in Charlottesville, we need a leader who is not only knowledgeable in that work, but also is effective [at] building collaborative relationships with the community, the department, and the team at City Hall," Boyles said in a statement published on the city's website at 4 p.m. Friday. "While very good work and progress has been made, I ultimately decided new leadership was required to continue the City's progress towards building a new climate and culture within the department."

Brackney could not be immediately reached for comment.

Brackney's termination falls after a survey conducted by the Central Virginia Police Benevolent Association of 64 officers indicated loss of morale in the department. Surveyed officers criticized command staff — including Brackney. Some indicated they were considering employment elsewhere. An internal survey conducted by CPD of 85 officers also showed dissatisfaction within the department.

RELATED ARTICLES

[RASHALL M. BRACKNEY, PH.D. TO BE SWORN IN AS
CHARLOTTESVILLE'S CHIEF OF POLICE
CHARLOTTESVILLE CITY MANAGER FIRES POLICE CHIEF](#)

[NO ANSWER ON WHY CHARLOTTESVILLE POLICE CHIEF
BRACKNEY WAS FIRED](#)

"This survey should not have needed to be anonymous," read one of the responses to the "climate command survey" conducted by the department. "However the current environment of fiefdoms and the good-ole-boy club leaves most fearing reprisals for offering any kind of input or criticism. Until command welcomes this kind of input without any repercussions, an attitude of fear, distrust and self preservation will prevail."

Support from leadership was also a common critique throughout both surveys.

"The lack of a feeling of support from command is a big issue. The idea of using any force is absolutely terrifying, because I don't feel there is anyone above a Sgt.'s paygrade that would go to bat for me," a respondent wrote in the climate command survey.

The person added that the department was seen as a "joke by surrounding agencies," that the officers weren't respected by citizens and that they felt the Charlottesville Police Civilian Review Board was a threat.

PCRB Chairman Bellamy Brown first announced the existence of the internal and external surveys at the board's Aug. 12 meeting.

Now that Brackney has been terminated and a search is underway for her replacement, Brown says that the next chief will need to "address some of the core issues within the department itself," but also "recognize the department's role in building bridges with community members and serving the community in fair and just policing."

Additionally, he says that the next chief has to be able to navigate the politics of the position.

"Obviously the politics aspect of dealing with the city manager and city council," Brown said. "We need someone who can address all of that and set a tone. It's my

understanding that there's at least a few years of work in doing that so it's not going to happen overnight."

Six days prior to Brackney's termination, [an unsigned city-issued news release lambasted a handful of officers for "disturbing behaviors."](#) Those officers, the release said, had since either resigned or been fired.

Behaviors included messages that discussed killing command staff or other officers, circulated nude videos, and videos of children of members of the SWAT team engaging in unauthorized use of semiautomatic weapons.

"I want the community to understand that I fully supported the difficult personnel decisions made recently by Chief Brackney," Boyles said in his Friday statement. "I also supported the publication of her letter on August 20 that shared background information with the community on these departmental and staffing changes. Promoting transparency and fostering trust are also important values for me as City Manager."

In the meantime, Assistant Chief James Mooney — who had announced intention of retirement this week — will remain on staff in his role and help guide the search for the new police chief.

Boyles says that he will share more details about the transition plan with the City Council next week.

"We have many dedicated employees in law enforcement that do very difficult jobs every day and who embrace our vision for reform," said Boyles. "I want them to know that I share their goal of having both a department and a leadership team that they can be proud to serve."



WRITTEN BY:

Charlotte Rene Woods

@charlottewords

cwoods@cvilletomorrow.org

Topics in this story

GOVERNMENT + POLITICS

POLICING

I'm Charlottesville Tomorrow's government

EXHIBIT B

(/)

Madison

74° (/weather)

Survey shows city cops have lost faith in department leadership

August 19th, 7:12 PM EDT

Updated: August 20th, 6:43 PM EDT

By Macy Moors



CHARLOTTESVILLE, Va. (CBS19 NEWS) – The Virginia Police Benevolent Association conducting a Charlottesville Police Survey regarding officers' experience with internal operations and their Command Staff.

The survey found that Charlottesville Police Department officers have lost faith in the leadership of their department.

Survey results show:

- Nearly 84 percent of survey takers believe Chief RaShall Brackney does not have the best interests for the department.
- 71 percent don't feel supported by their leaders.
- 82 percent say they've reduced their normal policing for fear of being targeted by CPD leadership.

"For what really is an abused police department that can't serve their community well because they feel like they can't do anything right. Like they're in an abusive relationship with their command staff," said Michael Wells, the Vice President of the State Benevolent Association.

When survey takers were asked about the department's largest concerns currently, answers included low morale, lack of trust, unfair discipline, and low pay.

Staff members submitted comments such as:

- "This department is a dumpster fire. The chief and her command staff have no morals or ethics and are only looking out for themselves."
- "The only difference between CPD and the Titanic? Deck chairs and a band."

Wells says this survey was conducted after the police department conducted its own questionnaire, but wouldn't release the results.

The association submitted a FOIA request, but the bill would have been \$1,800 and most of the answers likely would have been redacted.

That's when the association took matters into its own hands and reached out to officers.

"About 65 people ended up taking it, and the results were staggering," said Wells. "When I got them I was like, 'Wow. It's worse than I thought.'"

Wells says 18 police officers and 32 staff members have left the police department since October of last year.

"If something's not done, they're going to lose all of these officers, and they're going to pay for training for new officers who come to the realization that they're in an agency that doesn't appreciate them and doesn't support them," he said.

Wells says Brackney declined to meet with him about the survey results this past week.

The Charlottesville Police Department has declined to comment about this on Thursday but does say it plans to release videos regarding officers and leadership roles next week.

Wells says he's seen the videos and they're not a threat.

"It's officers just being silly, and videoing themselves in their car and sending it out, dealing with the pandemic last year," he said.

Wells says it drives home the point that officers are worried about retribution from department leadership.

He adds there was no talk of releasing the videos prior to the association getting these survey results.

City responds to police survey results ([//www.cbs19news.com/story/44567607/city-responds-to-police-survey-results](http://www.cbs19news.com/story/44567607/city-responds-to-police-survey-results))
Councilor, PCRB members speak out on CPD survey ([//www.cbs19news.com/story/44567608/council-and-members-of-police-civilian-review-board-speak-out-on-cpd-survey](http://www.cbs19news.com/story/44567608/council-and-members-of-police-civilian-review-board-speak-out-on-cpd-survey))

Around the Web

EXHIBIT C



Chip Boyles <chip.boyles@gmail.com>

Charlottesville Documents

1 message

Chip Boyles <chip.boyles@gmail.com>
To: js1@highlandpoe.com

Tue, Sep 14, 2021 at 11:27 AM

Jarvis, I can not begin to thank you enough for your interest and guidance shown to Sam, Ashley and I on Sunday. You have already been of immeasurable support to us. I also appreciate the comfort and ease you provided in my discussions with you. I hope to be able to offer the same some day.

As suggested I have attached three documents plus an additional that may become necessary to present.

1. Copy of PBA Survey
2. Copy of CPB internal survey
3. Draft Op/Ed - penned by me with great assistance from Sam & Ashley
4. A Council/Community response for September 20th Council Meeting.

Council meetings have a response agenda item for City Manager responses to previous inquiries. The last meeting had questions to me from the public, from Mayor Walker and one from Councilmember Payne. I am thinking of including the answers (which I am working on now) in this type of a response.

I offer these documents and information and will await your response. I am prepared to revise as necessary. I will also be looking for your guidance on how we could move forward with your services.

Once again, thank you and I so appreciate your help.

Chip

chip.boyles@gmail.com
mobile 434-242-7686

4 attachments



Statement to Public 9.13.21 SAM CPB.docx
23K



Community Matters CPB.docx
24K



Binder1 (RMB Edits) Redacted Copy.pdf
9964K



PBA Survey 8.2021.pdf
5918K

It is hard to accept that a decision one makes can be met with anger, distrust, and vitriol. It is equally difficult to hear that one's actions generates accusations of fear, unfairness, and unjust treatment. When I acted on September 1, 2021, I definitely did not expect to hear these criticisms of my decision to terminate the employment agreement with Dr. RaShall Brackney, our chief of police. In my haste to solve a problem that I felt was growing rapidly out of control, I decided to act because I felt we were heading into another situation where CPD would be gripped in chaos.

Despite successes in modernizing the Charlottesville Police Department, recent public statements including the Virginia Police Benevolent Association brought to the public's attention two officer surveys assessing officers' opinions of the current state of leadership in the Department. These surveys revealed substantial concerns of trust and confidence in the leadership of the department. I found these concerns troubling, especially when factoring in the known strained relationships across government, community, religious, and regional stakeholder groups. These relationships are critically important and when internal and external strife are present, it is imperative to act. So as your City Manager, I took decisive action to prevent key leadership positions - which were in jeopardy of becoming vacant - from erupting into deeper divides within the department.

While great positive strides have been made during Chief Brackney's time with the department in areas of racial equity and officer conduct, many of these changes came about at the expense of officer morale and departmental trust. A well-functioning and transitioning modern police force must have both to fully function in meeting today's needs in fair and equitable service to our community. I took what I consider a calculated risk to hit the reset button now so we could find the next chief who could not only build atop the contributions led by Dr. Brackney, but establish strong community bonds to support our 21st century policing priorities in the City of Charlottesville.

I regret not engaging Council more directly in my deliberations and further, I find in hindsight that I could have opted for direct improvement planning with Dr. Brackney, but in both instances, I just did not value the importance of time. I found the moment critical to act and felt the larger community would respect my intentions to simply guide the CPD to a stable and evolving law enforcement

outfit capable of making all residents proud. I trust Dr. Brackney will continue to do great things in law enforcement. I want the same positive outcome for Charlottesville.

This past week, I placed an OpEd in the Daily Progress to share some perspective on where I am right now having had time to consider the impact of the decision, I made regarding leadership of our police department. I can accept that I errored in the handling of the matter, while also standing firm on the decision I ultimately made.

I could have and should have engaged Council and my leadership team in deliberating on my intended action so that I not only had their input, but also a broader perspective on impact. I can assure you that going forward, our new Deputy City Managers will become more engaged in all facets of leadership decision making. Similarly, earlier, and better communication will be integrated to prevent situations from reaching a crisis point.

I want everyone to know that I remain the same measured leader chosen to bring stability to the City Manager's Office. I will continue to focus on stabilizing the City workforce, filling critical positions and instituting a new culture with the help of my leadership team. ~~I am confident I can demonstrate that I am your guy to lead through this difficult time.~~ While I recognize I could have chosen better timing and providing more transparency, I do not consider the decision I made to terminate Dr. Brackney's employment agreement a wrong decision.

I intend to move quickly to designate an Interim Police Chief who will have the following attributes:

-
-
-
-

I expect to initiate a search that at its top priority demonstrates the need for diversity and equity in pursuit of CPD's next leader. Let me be clear, James Mooney does not want to and will NOT be the next Chief of the Charlottesville Police Department. I appreciate Assistant Chief Mooney agreeing to return to his post to provide a known reliability to serve during this transition. There was no collusion, coordination, contempt involved in making the decision to move on.

I acted with the information I had. The two surveys did not assure me that we were fully on the right track. The threat of key department leadership exiting

suggested a collapse was imminent. The observation of internal interactions with City leadership was challenged at best. Varied comments from meetings internally and across the larger community highlighted to me an absence of a circle of support and collaboration. I value all of these as critical performance indicators and I feel the city should expect me to require that in my management of key organizational leaders. I chose to label Chief Brackney's separation as WITHOUT CAUSE because there was no smoking gun issue that we all can hold on to that will simplify an understanding of the necessity for change. Instead, I opted to move in a different direction while wishing Dr. Brackney the best in her future pursuits. I in no way intend to malign her character, professional acumen, or ability to perform. I am simply indicating that FIT is more than size and measurements but feel and function.

To the men and women who make up the Charlottesville Police Department, I want you all to know that that I support the difficult job we ask you to do in this city. I want you to hear that I am confident you will be a model for departments across this country as we transform our approach to 21st Century Policing. I want all officers, black, white and other ethnicities to be able to confidently offer reflections on a high-quality work environment. You are expected to contribute to the quality experience of one another in protecting and serving this community. You are needed to collaborate with the community, so community policing is seen as a way of enforcing the law.

To the Police Civilian Review Board and the Virginia Police Benevolent Association, Charlottesville needs partners in you, one that can assist in bringing forth the principals defined by this community. To achieve that, we need your support in engaging your stakeholders and helping them understand the priorities and expectations that will be required to perform the critical job of law enforcement where diversity & equity are as important to providing safe streets. This can be achieved and sustained simultaneously, and we welcome your engagement in promoting these operational objectives.

I offer to the City of Charlottesville that I recognize I could have managed this differently, but what I cannot suggest is that this was the incorrect decision. I am willing to hear the challenges and debate the issues, but I hope that we can at times agree to disagree. That is a reasonable disposition that allows us to consider

other matters that are of equal priority to members of the community. I in no way want it to be considered that I cannot work to rebuild the trust and restore the progress toward unifying sectors of the community. There is much more work to be done and I am willing and capable to putting in the work to see that we remain on course.

I submit that constant and open communications with all key leaders must be improved to address major community concerns before requiring such drastic action in the future. I will lean on my executive leadership team to broaden my perspective on management matters. I will work with Council to recognize the rationale I apply to the honor they have entrusted in me to serve as City Manager. I will model the leadership and openness that I want reflected across management and cherish the diversity that makes up our entire city team. And I will embrace the complexities that exist across our community and challenge myself to seek cooperation and collaboration where possible.

The elected officials, the city staff and especially the community deserve no less from their City Manager.



Chip Boyles <chip.boyles@gmail.com>

Op-ed edits

1 message

Jarvis Stewart <js1@highlandpoe.com>
To: Chip Boyles <chip.boyles@gmail.com>

Tue, Sep 14, 2021 at 1:02 PM

Chip, see attached. I had a member on my team tweak the statement. If you or sam want to discuss we can later today.

Also, has any clarity been made on your authority to engage our firm? Let me know. Thanks.

jcs



Statement to Public 9.13.21 JCS edits.docx
24K

Last week I made the decision to terminate the employment agreement of Dr. RaShall Brackney, Charlottesville's chief of police. It was not easy. Whether at last week's council meeting or during one-on-one conversations with residents since the announcement, I did not expect to be confronted with such anger and vitriol. Making unpopular decisions however comes with the job. In my haste to solve a problem that I felt was growing out of control, I decided to act because I felt we were heading into another situation where CPD would be gripped in chaos.

Despite successes in modernizing the Charlottesville Police Department, recent public statements including the Virginia Police Benevolent Association brought to the public's attention two officer surveys assessing officers' opinions of the current state of leadership in the Department. These surveys revealed substantial concerns of trust and confidence in the leadership of the department. I found these concerns troubling, especially when factoring in the known strained relationships across government, community, religious, and regional stakeholder groups. These relationships are critically important and when internal and external strife are present, it is imperative to act. So as your City Manager, I took decisive action to prevent key leadership positions - which were in jeopardy of becoming vacant - from erupting into deeper divides within the department.

While great positive strides have been made during Chief Brackney's time with the department in areas of racial equity and officer conduct, many of these changes came about at the expense of leadership mistrust among many of the officers we depend on to protect and serve our city. A well-functioning modern police force requires confidence, proactive communications and leadership to meet the demands and commitment to equitable policing. I took what I consider a calculated risk to hit the reset button now so we could find the next chief who could not only build atop the contributions led by Dr. Brackney, but establish strong community bonds to support our 21st century policing priorities in the City of Charlottesville.

In hindsight, I would have engaged the Council more directly in my deliberations and worked in partnership with Chief Brackney to develop an improvement plan. Fact is, I just did not have the luxury of time. I found the moment critical to act and felt the larger community would respect my intentions to simply guide the CPD to a stable and evolving law enforcement outfit capable of making all

residents safe, respected and proud. While her tenure as chief of police may not have ended as many of us had hoped, I trust Chief Brackney will continue to do great things in law enforcement. The same is true for outcomes I hope we can continue to work towards, together in Charlottesville.

10/14/21, 8:40 AM

Gmail - Community Matters



Chip Boyles <chip.boyles@gmail.com>

Community Matters

4 messages

Jarvis Stewart <Jarvis@irmediallc.com>
 To: Chip Boyles <chip.boyles@gmail.com>

Wed, Sep 15, 2021 at 7:59 AM

Good morning, chip. Attached is the community matters statement. We edited it just a bit. The highlighted section, I would remove completely. It's very important you DON'T continue inserting the surveys or their results into the public domain. This will only invite more questions and impede your objective to move forward.

Let me know your thoughts on both this piece and the OpEd. We have a few ideas for an OpEd title, which I'll run by you.

Jarvis Stewart

HIGHLAND POE LLC

Washington, DC

www.highlandpoe.com

Community Matters CPB JCS edits.docx
 25K

Chip Boyles <chip.boyles@gmail.com>
 To: Jarvis Stewart <Jarvis@irmediallc.com>

Wed, Sep 15, 2021 at 3:06 PM

Both this and the OP/Ed look just fine. I am good with taking out the highlighted portions as well. This will be read as a preface to my answers to council and citizen questions submitted last week.

I am very interested in your thoughts for the OpEd title. I am sure it is exactly what is needed.

Sorry that I haven't been able to respond sooner. We have a joint school/council meeting tonight trying to fund \$75m for a school renovation project and we have nowhere near enough money.

Ashley was able to research for me and we are limited to a fiscal year limit of under \$10,000 without procurement. I am sure that you have provided that much value already. Additionally, our budget is limited in that anything over would require Council approval to move line item budget amounts. I would not want to go to Council with such right now. I will welcome your thoughts. I would like to discuss in near future if you could assemble a team to work with Council and the City leadership team on city governance in a city like Charlottesville. Sam even suggested ex-Mayor Mitch Landreau from New Orleans may be a great team member for something like that.

Thank you again

Chip

[Quoted text hidden]

Jarvis Stewart <Jarvis@irmediallc.com>
 To: Chip Boyles <chip.boyles@gmail.com>

Wed, Sep 15, 2021 at 5:32 PM

Let's not hassle over fee.

10/14/21, 8:40 AM

Gmail - Community Matters

Consider our help as pro bono. We'll place the op-Ed tomorrow.

Jarvis Stewart
Highland | Poe
www.highlandpoe.com
Washington, DC

On Sep 15, 2021, at 12:06 PM, Chip Boyles <chip.boyles@gmail.com> wrote:

[Quoted text hidden]

Chip Boyles <chip.boyles@gmail.com>
To: Jarvis Stewart <Jarvis@irmediallc.com>

Mon, Sep 20, 2021 at 8:08 AM

Jarvis, I hope that you had a good weekend. The op/ed ran and seems to have had a positive impact. I have received only a couple of direct negative responses. Tonight's council meeting will be the tell. I'll let you know how it goes.

Thanks always,

Chip

On Wed, Sep 15, 2021 at 7:59 AM Jarvis Stewart <Jarvis@irmediallc.com> wrote:

[Quoted text hidden]

This past week, I placed an OpEd in the Daily Progress to give perspective on where I am right now having had time to consider the impact of the announcement made regarding the leadership of our police department. While standing firm on the decision I made, the fact is, I could have handled the decision differently.

I could have and should have engaged Council and my leadership team in deliberating on my intended action so that I not only had their input, but also a broader perspective on the community's response. I can assure you that going forward, our new Deputy City Managers will be more engaged in all facets of leadership decision making. Similarly, earlier, and better communication will be integrated to prevent situations from reaching a crisis point.

I want everyone to know that I remain the same measured leader chosen to bring stability to the City Manager's Office. I will continue to focus on stabilizing the City's workforce, filling critical positions and instituting a new culture with the help of my leadership team. While I recognize I could have chosen better timing and providing more transparency, I do not consider the decision I made to terminate Dr. Brackney's employment agreement a wrong decision, as many have suggested. It was not.

As we look forward, it is my intention to move quickly to designate an Interim Police Chief who shares my commitment and passion for greater inclusion and equity, professionalism and who has the skills to infuse leadership and confidence back into CPD.

Let me be clear, James Mooney does not want to and will NOT be the next Chief of the Charlottesville Police Department. I appreciate Assistant Chief Mooney agreeing to return to his post to provide institutional stability during this transition. There was no collusion, coordination, contempt involved in making the decision to move on.

I acted with the information I had. The two surveys did not assure me that we were fully on the right track. The threat of key department leadership exiting suggested a collapse was imminent. The observation of internal interactions with City leadership was challenged at best. Varied comments from meetings internally and across the larger community highlighted to me an absence of a circle of support and collaboration. I value all of these as critical performance indicators

and I feel the city should expect me to require that in my management of key organizational leaders. I chose to label Chief Brackney's separation as WITHOUT CAUSE because there was no smoking gun issue that we all can hold on to that will simplify an understanding of the necessity for change. Instead, I opted to move in a different direction while wishing Dr. Brackney the best in her future pursuits. I in no way intend to malign her character, professional acumen, or ability to perform. I am simply indicating that FIT is more than size and measurements but feel and function.

To the men and women who make up the Charlottesville Police Department, I want you all to know that I support the difficult job we ask you to do in this city. I want you to hear that I am confident you will be a model for departments across this country as we transform our approach to 21st Century Policing. I want all officers, Black, White and other ethnicities to be able to confidently offer reflections on a high-quality work environment. You are expected to contribute to the quality experience of one another in protecting and serving this community. I encourage you to build stronger bonds with the community daily, so community policing is seen as a fundamental way to enforcing the law.

To the Police Civilian Review Board and the Virginia Police Benevolent Association, Charlottesville need you as our *partners in progress* and commit to being active, constructive participants in rebuilding the moral of CPD. To achieve that, we need your support in engaging your stakeholders and helping them understand the priorities and expectations that will be required to perform the critical job of law enforcement where equity and inclusion are as important to providing safe streets. This can be achieved and sustained simultaneously, and we welcome your engagement in promoting these shared objectives.

The office of City Manager, regardless of their race or gender, is extremely powerful – with power comes responsibility and accountability. As a person of great privilege and as your City Manager, I am willing to hear the challenges and debate the issues and recognize my decision may be unpopular. I hope however our debate can and will remain civil and respectful. This is a reasonable "ask" that allows us to consider other matters that are of equal priority to members of the Charlottesville community.

I publicly commit to you constant and open communications with all key leaders must be improved to address major community concerns before requiring such drastic action in the future. I will lean on my executive leadership team to broaden my perspective on management matters and work more closely with Council as we move forward. I am committed to being the change, I'd like to see in City Hall and in our great city starting with greater communication and transparency while cherishing the diversity that make us stronger.

The elected officials, the city staff and especially the community deserve no less from their City Manager.

EXHIBIT D

https://dailyprogress.com/opinion/columnists/opinion-commentary-boyles-comments-on-brackney-a-tough-and-unpopular-decision/article_86e794a2-17dc-11ec-b354-e33a447042b1.html

TOP STORY

Opinion/Commentary: Boyles comments on Brackney: A tough and unpopular decision

Chip Boyles

Sep 17, 2021



At their meeting of Sept. 7, Charlottesville city councilors listen to comments from the public about the firing of Police Chief RaShall Brackney.

DAILY PROGRESS FILE

Chip Boyles

Recently, I made the decision to terminate the employment agreement of Dr. RaShall Brackney, Charlottesville's chief of police. It was not easy.

While great strides were made during Chief Brackney's time with the department in areas of racial equity and addressing officer conduct, many of these changes came about at the expense of leadership mistrust among many of the officers we depend on to protect and serve our city. A well-functioning modern police force requires confidence, proactive communications and leadership to meet the demands and commitment to equitable policing. I took what I consider a calculated risk to hit the reset button quickly so we could find the next chief, who could not only build atop the contributions led by Chief Brackney but also establish strong community bonds to support our 21st-century policing priorities in Charlottesville.

In hindsight, I would have engaged the City Council more directly in my deliberations and worked in partnership with Chief Brackney to develop an improvement plan. Fact is, I just did not have the luxury of time. I found the moment critical to act and felt the larger community would respect my intentions to guide our police department to a stable and evolving law enforcement outfit capable of making all residents safe, respected, and proud.

While her tenure as chief of police may not have ended as many of us had hoped, I trust Chief Brackney will continue to do great things in law enforcement. The same is true for outcomes I hope we can continue to work toward, together, in Charlottesville.

Chip Boyles is city manager of Charlottesville.



The USPTO needs to act now to restore inter partes review

President Biden has now nominated Vidal to serve in this role. If she is

sponsored by: US Made

EXHIBIT E

6/9/22, 10:36 AM

Snook explains support for Brackney's firing as police chief -

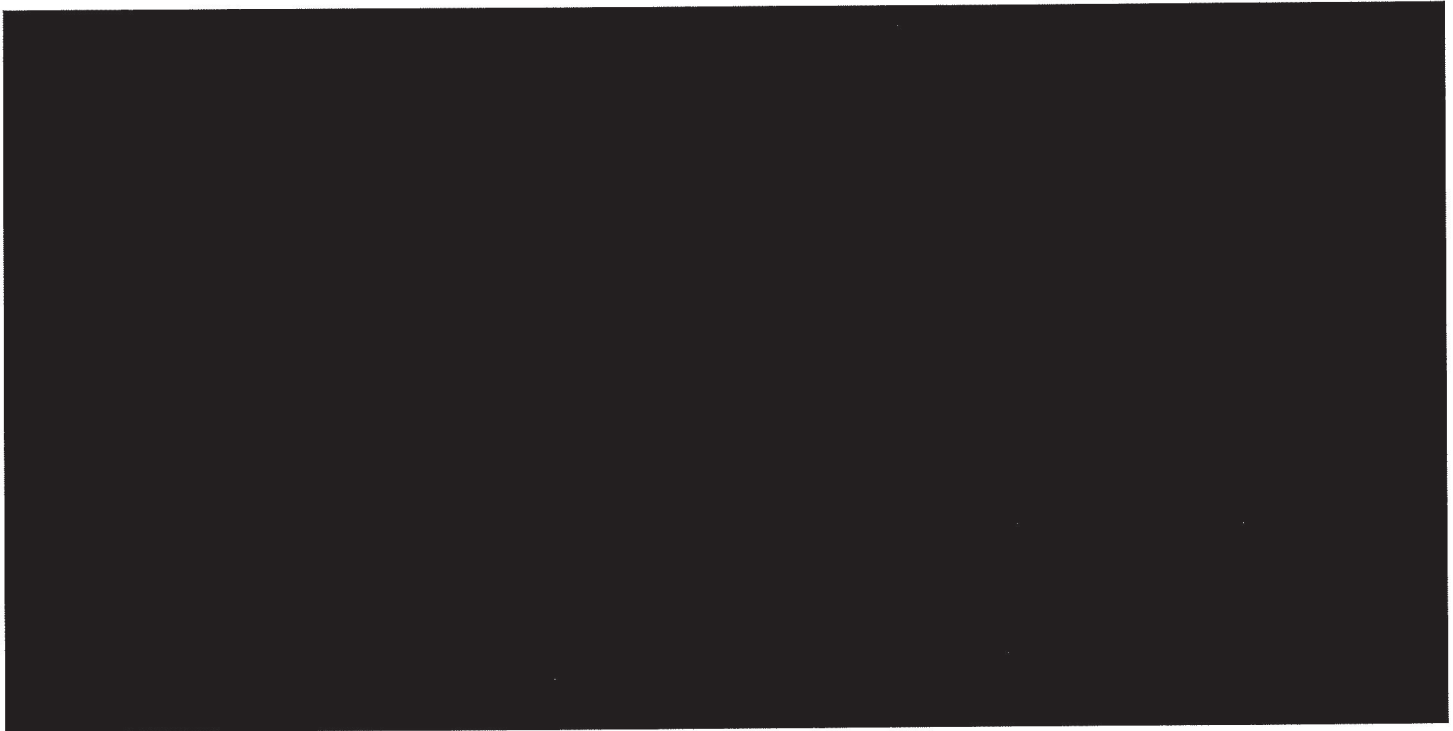
(1)

79° (/weather)

Snook explains support for Brackney's firing as police chief

October 6th, 12:28 AM EDT

By Sarah Robinson



CHARLOTTESVILLE, Va. (CBS19 NEWS) – The firing of former Charlottesville Police Chief RaShall Brackney earlier in September may be one of the reasons by Mayor Nikuyah Walker says she is not running for re-election to the Charlottesville City Council.

On Tuesday night, Councilor Lloyd Snook spoke about his reasons for supporting Brackney's firing, saying some of Brackney's own, hand-picked employees were not happy with her leadership direction in the police department.

"Even Black women officers were leaving," he said. "There were her hand-picked people who were leaving."

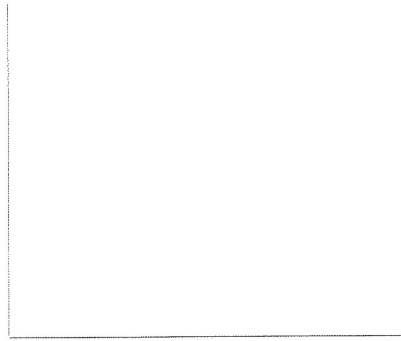
Snook says that during the early months of Brackney's tenure, he detected resentment from what he called the "Good Old Boy Network" of cops.

However, things changed for him when Brackney's own appointees started to resign.

6/9/22, 10:36 AM

Snook explains support for Brackney's firing as police chief -

City Manager Chip Boyles suddenly announced Brackney's termination on Sept. 1. Assistant Chief Major James Mooney, who was supposed to retire, stayed on with the department until Brackney's replacement can be found.



Around the Web

Maryland Will Cover the Cost to Install Solar if You Live in Bowie

Solar On Today

(https://trends.revcontent.com/click.php?

d=m8oiT8OKs1epi9matSVBqwmglfQB1pywqOqQKD%2B8ONd4wB42A9jWdHED7jX0XVONU0532B88BjKkZjPa542yJfRf02Vh35tYQaWmQ1n840y7p67W0K7U88K0W1d6M72

The #1 Mistake That Makes Bad Knees Worse (Watch)

Arthrozene

(https://trends.revcontent.com/click.php?

d=6B42A9jWdHED7jX0XVONU0532B88BjKkZjPa542yJfRf02Vh35tYQaWmQ1n840y7p67W0K7U88K0W1d6M72

Incredible Ultra-Sharp and Durable Knife is Selling Out Fast

Honjo Muller

(https://trends.revcontent.com/click.php?

d=6B42A9jWdHED7jX0XVONU0532B88BjKkZjPa542yJfRf02Vh35tYQaWmQ1n840y7p67W0K7U88K0W1d6M72

Maryland Residence Are Using This to AC Device to Cool Down Any Room in Minutes

Living Healthy News

(https://trends.revcontent.com/click.php?

d=Ec%2F7ny6XuGyLpWDv%2Fbp38DK8NzdPeD7VJaKkbxrqFDMB43w45QVVWwO%2B7wfaTO5mX%2FfAzrZN9%2BHfrReSMp4BqfK0bFAZAX8303R0bN4jXyTW46ZyBf1C0Y5gZ6N

Scatter Soap Around Your Yard, Here's Why

Lively

(https://trends.revcontent.com/click.php?

d=lp3qSEA2Z61rQajhpqUt1wKh9cySVwgy4Uh9y%2BRUGzwIApF0H0ZwilyVhP026Zwch0a2Yw46wKixS0aEIRevrBFOWGNwAv

Top Heart Surgeon: This Simple Trick Helps Empty Your Bowels Every Morning

Gundry MD

(https://trends.revcontent.com/click.php?

d=lp3qSEA2Z61rQajhpqUt1wKh9cySVwgy4Uh9y%2BRUGzwIApF0H0ZwilyVhP026Zwch0a2Yw46wKixS0aEIRevrBFOWGNwAv

EXHIBIT F

CITY OF CHARLOTTESVILLE EMPLOYMENT AGREEMENT CHIEF OF POLICE

THIS AGREEMENT is made and entered into this 18 day of June, 2018, by and between the City of Charlottesville, Virginia, a municipal corporation ("City") acting by and through its City Manager, and RaShall Brackney.

WHEREAS, the City Manager desires to appoint RaShall Brackney as an employee of the City, to serve in the position of Chief of Police for the City of Charlottesville, Virginia, and pursuant to Charlottesville City Code § 20-2 the Charlottesville City Council has approved this appointment (*hereinafter, RaShall Brackney shall be referred to as the "Employee"*); and

WHEREAS it is the desire of the City and Employee to set forth their mutual understanding as to the terms of their employment relationship;

SECTION 1. CERTIFICATION

Employee acknowledges and understands that the Virginia Department of Criminal Justice Services (DCJS) requires the head of each law enforcement agency to be a DCJS-Certified law enforcement officer. Employee warrants and agrees that she is a certified law enforcement officer within the Commonwealth of Virginia. Employee must maintain this certification in good standing throughout the term of this Agreement as a condition of employment. Should the Employee be or become decertified by the Virginia Department of Criminal Justice Services as a law enforcement officer, this Agreement shall immediately terminate for good cause.

SECTION 2. TERM

- (A) *Probationary period*--Employee's term of employment shall begin on June 18, 2018, which date shall also be the effective date of this Agreement ("Commencement Date"). The Employee shall be subject to a probationary period ending December 31, 2018. During the probationary period City Manager may terminate this agreement, with or without cause, upon giving fourteen (14) calendar days advance written notice to the Employee. Upon successful conclusion of the probationary period the employee shall be eligible for a three percent (3%) increase.
- (B) *Initial term*--Following the probationary period, the initial term of this Agreement shall commence on January 1, 2019, and shall continue through December 31, 2023 ("Initial Term").
1. During the Initial Term the City Manager may terminate this Agreement. at any time, for cause, after giving thirty (30) calendar days' advance written notice to the Employee. If the Employee is terminated for cause, the Employee will be paid only for work and services performed through the date of termination; the Employee shall not be entitled to any severance pay.

CITY OF CHARLOTTESVILLE EMPLOYMENT AGREEMENT CHIEF OF POLICE

2. During the Initial Term either the City Manager or the Employee may elect to terminate this Agreement, without cause, after giving ninety (90) days' advance written notice to the other. If the City Manager elects to terminate this Agreement not-for-cause, then the Employee shall be entitled to severance pay equal to: **(i)** twelve (12) months' salary, payable as a lump sum at the rate of pay in effect on the effective date of the termination; **(ii)** lump sum contribution to any defined contribution retirement plan in which Employee is participating as of the date on which the City Manager's notice of termination is given, in an amount calculated based on twelve (12) months' salary referenced in (i); **and (iii)** if the Employee elects COBRA coverage, then the Employee will receive additional severance equal to the value of six (6) months' premium for health insurance coverage, which, may be paid directly to the insurer by the City, and deducted from this severance, during the first three months of the applicable post-employment COBRA period, or which may be paid pursuant to alternative arrangements consistent with COBRA benefits.

(C) Renewal terms--This Agreement shall automatically be renewed as of January 1, 2024 for a renewal term expiring on December 31, 2025, and for successive 2-year terms thereafter, unless the City Manager provides notice of non-renewal in writing to the Employee at least six (6) months in advance of the December 31 on which any such renewal term will expire. In the event this Agreement is not renewed by the City Manager, then all compensation, benefits and requirements set forth herein shall remain in effect until the expiration of the term of the Agreement, unless the Employee voluntarily resigns effective as of an earlier date.

During any renewal term, either the Employee or the City Manager may terminate this Agreement, with or without cause, after giving written notice to the other party at least 30 days prior to the effective date of the separation from employment. Upon any such termination the Employee shall be paid for unused, accrued vacation leave, up to 40 hours above the Employee's maximum accrual limit, but shall not be entitled to severance pay. Failure by the Employee to give the required 30-day notice constitutes a waiver and forfeiture of pay for the accrued vacation leave.

SECTION 3. DUTIES OF THE EMPLOYEE

- (A) City is employing the Employee to perform services as the City's chief law enforcement officer.
- (B) Employee shall have the powers, duties and authority referenced for the police chief, within The Charter of the City of Charlottesville, the Charlottesville City Code Chapter 20 (Police) Article I, Sec. 20-1 et seq., and Virginia Code Title 15.2, Chapter 17 (Police and Public Order).

CITY OF CHARLOTTESVILLE EMPLOYMENT AGREEMENT CHIEF OF POLICE

- (C) Employee shall be responsible for proper administration and management of the Charlottesville Police Department ("Department") budget.
- (D) The Employee acknowledges that the proper performance of her duties as chief of police will require the Employee to generally observe normal business hours and will also often require the performance of necessary services outside of normal business hours. The Employee agrees to devote such additional time as is necessary for the full and proper performance of the Employee's duties and that the compensation provided in this Agreement includes compensation for the performance of all such services.
- (E) The Employee will devote full time and effort to the performance of her duties as chief of police, and shall remain in the exclusive employ of the City during the term(s) of this Agreement. With the prior written consent of the City Manager, the Employee may occasionally elect to accept limited teaching, consulting, or other outside business opportunities, but no such outside engagement shall in any way interfere with the performance of, or the Employee's availability for performance of, the Employee's duties under this Agreement. The Employee shall be required to utilize annual leave or administrative leave for time devoted to such outside engagement between the hours of 8:30 a.m. and 5:00 p.m. Monday through Friday.
- (F) Employee will perform such additional duties, as may be required by the City Manager. All duties assigned by the City Manager shall be appropriate to and consistent with the law enforcement role and responsibilities of the City's chief law enforcement officer.
- (G) Employee shall be subject to, shall comply with the rules and standards of conduct specified within the City's Personnel Regulations which are not inconsistent with this Agreement, including, but not limited to, City policies regarding sexual harassment, non-discrimination, and fraud.
- (H) Employee shall read and familiarize herself with the Virginia State and Local Government Conflict of Interests Act, set forth within Virginia Code Title 2.2, Chapter 31, Sec. 2.2-3100 et seq.

SECTION 4. COMPENSATION AND ALLOWANCES

- (A) The City agrees to pay the Employee an annual salary of \$140,000.00 ("Salary"), payable by direct-deposit to the Employee in bi-weekly installments for 26 pay periods per year, payable at the same time other employees' paychecks are issued.
- (B) On July 1, 2018 and on each July 1 thereafter during the term(s) of this Agreement, the Employee's Salary shall increase by the same percentage as any across-the-board cost of living or other pay increases approved by City Council within its operating budget for all regular full-time City Employees. The City will deduct or withhold any taxes, FICA, or other deductions which the Employee is legally required to pay.

CITY OF CHARLOTTESVILLE EMPLOYMENT AGREEMENT CHIEF OF POLICE

- (C) The Employee is an at-will employee, subject to the terms of this Agreement, and is classified as being exempt from the overtime pay requirements of the Fair Labor Standards Act. Employee shall not be entitled to compensatory time and/or any overtime pay, regardless of the number of hours worked in any work period.
- (D) The parties acknowledge that the Employee will incur relocation expenses. The City will reimburse the Employee for necessary and reasonable expenses incurred by the Employee in moving and relocating the Employee and the Employee's family and belongings, up to a maximum of \$10,000.000. If the Employee desires to use a professional moving company, the Employee shall obtain three (3) price quotes prior to selecting the company which offers the best combination of price and scope of services to perform the services. The Employee shall document moving and relocation expenses with receipts, cancelled checks and/or credit card statements, and submit that documentation along with any request for reimbursement.
- (E) During each of the calendar months of June, July and August 2018 the City will provide the Employee with a \$1,000.00 housing allowance, net of taxes.
- (F) The City will provide the Employee with a motor vehicle for use in performing the duties of employment, and for commuting and *de minimus* personal use. The City is responsible for paying for liability, property damage, and comprehensive insurance and for the purchase (lease), operation, maintenance, repair, and regular replacement of the vehicle. Parking for the Employee's vehicle is provided, at no cost to the Employee, within the Market Street Parking Garage. Employee's use of this vehicle shall be exempt from SOP 100-8:3.3.3, and non-city employees may be permitted to be transported in the vehicle.
- (G) The City, at its sole expense, will provide the Employee with equipment customary and necessary for the performance of Employee's duties, including, without limitation: uniforms, a service weapon, a computer and mobile phone, as required for the Employee to perform Employee's duties. The Employee shall reimburse the City for any charges incurred by the City as a result of non-work use of computers, mobile phones, internet services or other City equipment.
- (H) The City will support the professional development of the Employee. The City shall provide a reasonable budget for, and will pay reasonable amounts of the Employee's reasonable costs for tuition or registration, travel, per diem and incidental expenses, in accordance with applicable City policies, for: (i) activities that will further develop her knowledge, skills and abilities as a law enforcement administrator, including annual professional training conferences each year; (ii) short courses; institutes and seminars that, in the Employees' reasonable judgment, with approval of the City Manager, are necessary for her professional development. (iii) official travel, meetings and occasions relating to City business; representation of the City at conferences or meetings of national and state committees or commissions upon which the Employee serves as a

CITY OF CHARLOTTESVILLE EMPLOYMENT AGREEMENT CHIEF OF POLICE

member, said membership on said commissions or committees being subject the approval of the City Manager; and (iv) professional dues and subscriptions for the Employee, reasonably required by law or necessary for full participation in relevant national, regional, state, and local professional associations and organizations. Section 5. Benefits

- (I) The Employee shall be eligible to participate in the City's standard employee benefits, which offers the Employee a choice among various insurance and retirement plan benefits. The Employee shall receive paid holidays the same as other City employees, as well as vacation, sick, and administrative leave, all as provided within the City's Personnel Policy as applicable to department heads. All benefits offered by the City to its employees, including department heads, are subject to modification at any time.
- (J) In addition to the leave referenced in paragraph 5(A), above, and beginning on the Commencement Date of employment, the Employee will be credited with 24 hours of paid administrative leave ("discretionary leave") that can be used by the Employee for any purpose. This is a one-time credit, and this discretionary leave must be used within twelve (12) months of the Commencement Date of employment or it shall be forfeited.
- (K) The City agrees that it shall not at any time during the term of this Contract reduce the salary, compensation or benefits of the Employee, except to the extent that such reduction is evenly applied across-the board for all employees of the City.

SECTION 6. MISCELLANEOUS PROVISIONS

- (A) This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia. All litigation arising out of this Agreement shall be commenced and prosecuted in the federal, state or local court(s) having jurisdiction within the City of Charlottesville, Virginia.
- (B) In the event that any term, provision or condition of this Agreement, or the application thereof to any person or circumstances, shall be held by a court of competent jurisdiction to be invalid or unenforceable, shall not be affected thereby.
- (C) Changes to any terms and conditions under this Contract shall only be made by and between the City Manager and the Employee, pursuant to a properly executed written amendment to this Contract. The City shall not be bound by any unwritten promises or representations made by the City Manager or the Employee.
- (D) Any notice given by a party pursuant to this Agreement shall be in writing and either hand-delivered or mailed by United States mail, first class and postage prepaid, to the City Manager or Employee. Notice shall be deemed given as of the date of delivery or as of the date of deposit of such written notice in the United States Postal Service.

CITY OF CHARLOTTESVILLE EMPLOYMENT AGREEMENT CHIEF OF POLICE

(E) This Agreement sets forth the entire agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained herein, and this Employment Agreement shall supersede all previous communications, representations, or agreements either verbal or written between the parties.

IN WITNESS WHEREOF, the parties do hereby set forth their signatures:

CITY MANAGER

Signature: Maurice Jones

Maurice Jones

Date: 6-26, 2018

Approved as to Form:

L. Robertson

Charlottesville City Attorney's Office

RASHALL BRACKNEY

Signature: RaShall M Brackney

RaShall Brackney

Date: 6-18-18

EXHIBIT G

9:56 Bellamy Brown
Monday, Jul 12 • 4:40 PM
I didn't get selected.

Tuesday, Jul 13 • 9:28 AM
Has a decision been made? I haven't been involved since the first round of interviews.

A decision regarding myself. There are still the last two rounds which I imagine are happening over the next two weeks.

Gotta. You okay?

Yeah, it just confirms the bullshit of this process.

Text message

9:56 Bellamy Brown
Tuesday, Jul 13 • 4:45 PM
Yeah, the ordinance doesn't dictate that it be set up like this. It's extraneous.

I wanna see how lived experience, a native of the community, is already doing the work and building bridges between the police and community is topped.

It would have been better off if they made the wise choice.

I'm well-liked by the entire community to include police with Phil Seay stating it'd be great. This should be interesting.

References: Blair, Alvin Edwards, Davis, Juan

Text message

9:56 Bellamy Brown
Wednesday, Jul 14 • 12:11 PM
References: John Blair, Alvin Edwards, Dave Norris, Juan Wade, Ray Respicio.

You could say I'm a little pissed. Let's play ball!

And now I know everything. So be it.

What's that mean?

It is what it is. I've still got work to do in this community.

It's not tight for this town to be hijacked by two individuals. That's a disservice to this community as a whole.

If no one else do the dirty work then I will.

Text message

9:57 Bellamy Brown
Thursday, Jul 15 • 9:23 AM
This process is severely tainted and the public should know.

There is no way that the voice of the Board's representatives should carry less weight than the rest of the community, and the ordinance is clear on that.

Are you referring to the ED hiring process or speaking more broadly?

Thursday, Jul 15 • 1:46 PM
The ED process has 5/6 other voices to 1 Board member voice, and another Board member brought up the fact that the CPD did not be part of selection, the person

Text message

part of selecting the person who will be supporting the Board (conflict of interest). And definitely not someone who has repeatedly dress down members of this community behind their backs, to include other law enforcement officers.

The fact is that a powder keg has been created and I already know of at least one officer who's ready to blow the whole house of cards down.

Text message

9:58 Bellamy Brown
Monday, Aug 2 • 7:19 PM
It just occurred to me, in this oversight process more deference is given to a person city leadership has already decided to terminate.

How exactly does that work?

9:59 Bellamy Brown
Thursday, Aug 12 • 10:52 AM
City Council and the City Manager need to deliver for both the line police officers and the community. The doc will be kicked down tonight with the officers following behind.

There seems to be a lot in motion right now. Relative to folks raising their voices.

Yeah, neither the PBA nor (the Board) are playing around.

Did you see what they sent to the City?

Supposed to be in my email. Haven't had a chance to look yet.

Text message

9:59 Bellamy Brown
Did you see the release that went out?

Are you guys releasing a 100% backing CPD press release? That's a bad idea even if I serve at the pleasure of Council.

Heather as a friend I know way too much, and too many people who can have a serious negative impact on this city different from the current.

I was just informed one is about to.

A release went out from the City a bit ago

That's the one I haven't seen, and I'm quite disappointed if it's as I've been informed.

Text message

10:00 Bellamy Brown
Saturday, Aug 21 • 1:36 PM
You should ask why the Sage Smith case hasn't moved forward, and what impact that will have on the community.

Let's talk this weekend, I'm home tonight.

Was helping out with the back to school bash at the pavilion; just got back home

Saturday, Aug 21 • 4:30 PM
Hit me up when you're free.

Text message

10:00 Bellamy Brown
Monday, Aug 23 • 4:23 PM
You guys really thought a white trans woman, an Egyptian, and a Hispanic guy were the best qualified to be executive director of this black community over a black native with excellent qualifications?

It can never be said that city leadership cares about the community or the police, because it's choosing two individuals over both.

Tuesday, Aug 24 • 3:38 PM
The mayor would like to know where I'm motioning mv

Text message

10:00 Bellamy Brown
Tuesday, Aug 24 • 8:03 PM
I've been thinking about the whole race not factoring in, but somehow there are four black department heads in the city in major positions. But somehow all of them were by accident because the processes were clean?

This city really fails to understand the black community if you believe they don't have their own voices.

It's amazing to me that all the alarms raised about police leadership and not one call from anyone in leadership, but share some demographic information and leadership is tripping over itself to make contact.

I don't think anyone is tripping.

Text message

10:01
 Billy Brown
 I don't think anyone is tripping, just don't think it's appropriate to be putting that stuff out there in the context you have been as a person who was part of the process.
 And knowing that information was not public but part of a HR process.
 And it's not that it's not factored in as we certainly want a diverse group of leaders but there are certainly other factors, namely experience and fit which is true of any organization.
 To be clear in an HR process, none of that information was identifiable information. The line consistently given to us is "we don't want to scare candidates a [redacted] if they find out about the environment."

10:01
 Billy Brown
 line consistently given to us is "we don't want to scare candidates away if they find out about the environment."
 That...is the true concern.
 It's odd that police screaming fire about personnel matters falls on deaf ears, but that got everyone's attention.
 And that "fit" is laughable.
 You'll notice no one has even mentioned CPD leadership being part of the clean process to select the person who will help provide oversight.
 Tuesday, Aug 24 • 11:03 PM
 City leadership has shown me I should be grateful I didn't get the role, and I am, because all of this is/was unnecessary bullshit. I am so disappointed that this community didn't have the leaders to press this matter a while ago, and the people who serve this community and live in this community have suffered because of it.

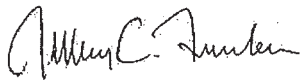
10:01
 Billy Brown
 Tuesday, Aug 24 • 11:03 PM
 City leadership has shown me I should be grateful I didn't get the role, and I am, because all of this is/was unnecessary bullshit. I am so disappointed that this community didn't have the leaders to press this matter a while ago, and the people who serve this community and live in this community have suffered because of it.

EXHIBIT H

From: Wheeler, Brian
Sent: Monday, October 4, 2021 1:05 PM
To: FOIA
Subject: FW: Meeting for my files

From: Fracher, Jeffery <fracherj@charlottesville.gov>
Sent: Monday, October 4, 2021 1:04 PM
To: Wheeler, Brian <wheelerb@charlottesville.gov>
Subject: FW: Meeting for my files

Mr. Wheeler,
Below email is per FOIA request referenced in your email today, Oct. 4.
Thank you.



Jeffrey C. Fracher, Ph.D.
Clinical Psychology
(434) 962-3498

DrFracher@gmail.com

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

From: Fracher, Jeffery
Sent: Friday, September 10, 2021 5:27 AM
To: Fracher, Jeffrey <jeffrey.fracher@gmail.com>
Subject: FW: Meeting for my files

From: Fracher, Jeffery
Sent: Friday, September 10, 2021 5:26 AM
To: Mendez, William <mendezw@charlottesville.gov>
Subject: Meeting

Bill,
Last night's meeting was a circus, not unlike Council's meeting on Tuesday night. Is there any wonder that city government is held in such low regard? Full of wild accusations, misinformation and high drama. I think the timing of your no-confidence was ill-advised and only served to contribute to a public perception that we are a dysfunctional Board. Only 6-7 of the same people spoke multiple times and repeated the same talking points, suggesting that Bellamy's comments on 8/12 contributed to the Chief's firing and somehow established that he is in cahoots with the PBA and not committed to our mission. I know that several of those people, including Nancy, have publicly supported

defunding the police in the past. They presume to speak for the poor Black community who live primarily in public housing. My discussions with a number of those people, who could not care less about our internal squabbles, do not want to defund the police as those who purport to speak for them advocate. Rather, they want good, non-racist police because the shootings take place in their neighborhoods! They who are I am passionate about representing as a privileged white male whose voice will be heard when theirs will not.

I supported a change in the leadership at CPD, which I believe is in our purview, because my knowledge of the Chief's poor leadership was resulting in the loss of good officers leaving us with the very officers, many of whom are not in favor of a PCRB nor are they appropriately policing the Black neighborhoods. I don't think the City Manager would have terminated during such a charged time without an abundance of information indicting that she needed to go. I also think that she was actively lobbying Council to water down the ordinance, no less than the PBA. Now the faction that spoke last night, who wanted her gone, are angry that Bellamy spoke out against her? The logic escapes me.

I personally experienced last Wednesday the vitriol and the anger of the PC because some of us won't do their bidding. They are enraged at Bellamy for his independence from them and they are fixated on removing him at the expense of our agenda of getting an ordinance passed. It is a huge distraction. I fear that your no-confidence motion only added fuel to the fire last night. As did Nancy's histrionics. We have allowed them to get us to take our eyes off the ball. Unfortunately, they have lost all credibility with me after last Wednesday and last night.

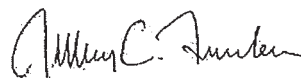
Jeff Fogel injecting some issue, about which most of us and the public know nothing, into a public discussion was totally inappropriate and only added to the circus last night. His agenda seems to be one of self-promotion, not moving the ball down the field.

The whole evening only further added to the perception that we don't have our act together and cannot be entrusted with an ordinance with real teeth. And, just as our ED is coming on Board! I attempted to reassert our autonomy in my statement, but it fell on deaf ears given the hysteria of those speaking during public comment. Their actions only served to undermine our efforts, which they claim to support. I could not be more distressed as the time stamp on this email would indicate.

We need to come together as a Board, turn down the temperature, and not let a few angry voices undermine our independence and our autonomy. Bellamy is not the issue even though they have attempted to make him so, and I fear that your motion only played into their hands at the worst possible time. I hope you will consider publicly stating so and walking back your comments. You have my full respect and support for all of your hard work and as a voice which is typically balanced and calming. That is why I was so surprised by your motion last night.

The vast majority of citizens, both Black and White, are not playing close attention to any of this. They hear only the sound bites and take away a distorted view of what we are trying to do. It is why I implored people to move beyond the circus and support our ordinance and our goal of improving policing for all of Charlottesville, regardless of race, creed, color, or income. I hope that they will do so and that we can get back on track.

Thanks.
Jeff



Jeffrey C. Fracher, Ph.D.
Clinical Psychology
(434) 962-3498

DrFracher@gmail.com

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

From: Wheeler, Brian
Sent: Monday, October 4, 2021 1:10 PM
To: FOIA
Subject: FW: Meeting

From: Fracher, Jeffery <fracherj@charlottesville.gov>
Sent: Monday, October 4, 2021 1:06 PM
To: Wheeler, Brian <wheelerb@charlottesville.gov>
Subject: FW: Meeting

Mr. Wheeler,
Below email is per FOIA request referenced in your email today, Oct. 4. I was unable to find any other documents related to this FOIA request.
Thank you.



Jeffrey C. Fracher, Ph.D.
Clinical Psychology
(434) 962-3498

DrFracher@gmail.com

Email Confidentiality Notice: The information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act (HIPAA). The message is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender immediately by replying to this email and delete the material from any computer.

From: Fracher, Jeffery
Sent: Friday, September 10, 2021 10:28 AM
To: Mendez, William <mendezw@charlottesville.gov>
Subject: RE: Meeting

Thanks, Bill. We need to find a way to heal the Board and help heal this community. Between Tuesday's Council meeting and our meeting last night, it is clear that the animosity and distrust are high. James had some good ideas about both a Town Hall and PCRB retreat to begin the healing process. As long as the Town Hall doesn't turn into another bitch session (what is there new to say negatively that hasn't already been said?). I am away from tomorrow until next Saturday but you can reach me by text if needed and I will call you back.

I should note that I hear from a lot of folks, mostly white, who support Bellamy. I know there have been missteps but as you said last night, it would set a negative precedent for our independence and autonomy as a Board to have him removed. I am talking to him about some of the concerns that you have expressed. I wish he would not let himself get baited into these very public squabbles. I believe many of his social media posts have been in response to the Mayor's, and her cadre's, antagonistic posts toward him, the other Councilors, and the white community in general so there is

plenty of blame to go around. Just look at this morning's Progress. Her sending him a picture of the Kenneth Clark experiment, which he forwarded to me also, was tantamount to calling him an Uncle Tom. It has gotten so ugly and divisive.

Let me sit with this awhile (though, hopefully, not while I am on vacation!) and then we will talk.

Thanks.

Jeff

From: Mendez, William <mendezw@charlottesville.gov>

Sent: Friday, September 10, 2021 9:44 AM

To: Fracher, Jeffery <fracherj@charlottesville.gov>

Subject: Re: Meeting

Thanks, Jeff. I admit that my motion was spur of the moment, and possibly ill-judged.

I share your concern that the Board looks disorganized and ineffectual. I assure you I was not responding to the number of complaints, but their substance, along with the undeniable fact that Bellamy is responsible in large part for creating the disunion on the Board and between the Board and its constituency. (Do you consider yourself a "core member"?, that's pretty insulting.) In our private conversations, he's been tirelessly dismissive of Nancy's contributions and positions; and he referred to her as a "bully" the last time we talked. I know he plays us off against each other when it suits him. The Board was already split, but we just weren't admitting it.

The allegation about interference with the Laquinn Gilmore case is easily confirmed by reference to the Chair's social media posts and public utterances. You're correct that it may not be a matter for the Board; rather it might better be referred to the City Attorney for advice as to whether it violated Charlottesville's conflict of interest regulations for boards and commissions. Now, it will be almost impossible for the Board's involvement in this case to be credible. It was incredibly thoughtless of him to stick his nose in.

Finally, the idea that our attorney and I both approved his statement at the last meeting is so distorted as to be beyond comprehension. I worked really hard to get him to find another platform, or to hold off on making any statement until the ordinance was passed by the Council. The editorial changes I suggested, when he continued to insist, removed a large amount of insulting and inflammatory verbiage that would have placed the Board in even a worse position when the Chief was subsequently fired. Ms. Hudson, far from approving the speech, washed her hands of the matter, indicating (quite properly) that she could not suggest policy, only advise on legal matters.

OK; end of rant. Where from here? At this point, I haven't had time to figure out the best way to proceed. My "core" concern is that Bellamy's actions will provide precisely the excuse the Council needs to drag their feet. I would like nothing more than to be insulated from Bellamy's antics and continue to work on the ordinance and operating procedures with people of good will, but we saw last night how hard that will be if he keeps waging social media war on his enemies (which now include me as well as the PC, LAJC, and interim board members) He sent me a picture this morning of the Brown vs Board of education black doll-white doll experiment. Argh.

Best, (always ready to talk)

Bill

From: Fracher, Jeffery <fracherj@charlottesville.gov>
Sent: Friday, September 10, 2021 5:25 AM
To: Mendez, William <mendezw@charlottesville.gov>
Subject: Meeting

Bill,
Last night's meeting was a circus, not unlike Council's meeting on Tuesday night. Is there any wonder that city government is held in such low regard? Full of wild accusations, misinformation and high drama. I think the timing of your no-confidence was ill-advised and only served to contribute to a public perception that we are a dysfunctional Board. Only 6-7 of the same people spoke multiple times and repeated the same talking points, suggesting that Bellamy's comments on 8/12 contributed to the Chief's firing and somehow established that he is in cahoots with the PBA and not committed to our mission. I know that several of those people, including Nancy, have publicly supported defunding the police in the past. They presume to speak for the poor Black community who live primarily in public housing. My discussions with a number of those people, who could not care less about our internal squabbles, do not want to defund the police as those who purport to speak for them advocate. Rather, they want good, non-racist police because the shootings take place in their neighborhoods! They who are I am passionate about representing as a privileged white male whose voice will be heard when theirs will not.

I supported a change in the leadership at CPD, which I believe is in our purview, because my knowledge of the Chief's poor leadership was resulting in the loss of good officers leaving us with the very officers, many of whom are not in favor of a PCRB nor are they appropriately policing the Black neighborhoods. I don't think the City Manager would have terminated during such a charged time without an abundance of information indicting that she needed to go. I also think that she was actively lobbying Council to water down the ordinance, no less than the PBA. Now the faction that spoke last night, who wanted her gone, are angry that Bellamy spoke out against her? The logic escapes me.

I personally experienced last Wednesday the vitriol and the anger of the PC because some of us won't do their bidding. They are enraged at Bellamy for his independence from them and they are fixated on removing him at the expense of our agenda of getting an ordinance passed. It is a huge distraction. I fear that your no-confidence motion only added fuel to the fire last night. As did Nancy's histrionics. We have allowed them to get us to take our eyes off the ball. Unfortunately, they have lost all credibility with me after last Wednesday and last night.

Jeff Fogel injecting some issue, about which most of us and the public know nothing, into a public discussion was totally inappropriate and only added to the circus last night. His agenda seems to be one of self-promotion, not moving the ball down the field.

The whole evening only further added to the perception that we don't have our act together and cannot be entrusted with an ordinance with real teeth. And, just as our ED is coming on Board! I attempted to reassert our autonomy in my statement, but it fell on deaf ears given the hysteria of those speaking during public comment. Their actions only served to undermine our efforts, which they claim to support. I could not be more distressed as the time stamp on this email would indicate.

We need to come together as a Board, turn down the temperature, and not let a few angry voices undermine our independence and our autonomy. Bellamy is not the issue even though they have attempted to make him so, and I fear that your motion only played into their hands at the worst possible time. I hope you will consider publicly stating so and walking back your comments. You have my full respect and support for all of your hard work and as a voice which is typically balanced and calming. That is why I was so surprised by your motion last night.

The vast majority of citizens, both Black and White, are not playing close attention to any of this. They hear only the sound bites and take away a distorted view of what we are trying to do. It is why I implored people to move beyond the circus and support our ordinance and our goal of improving policing for all of Charlottesville, regardless of race, creed, color, or income. I hope that they will do so and that we can get back on track.

From: Carpenter, Nancy

Sent: Tuesday, October 5, 2021 10:42 AM

To: Wheeler, Brian

Subject: Fw: Request for Removal of Bellamy Brown as a member of the PCRB

From: Carpenter, Nancy <carpentern@charlottesville.gov>

Sent: Friday, September 10, 2021 2:19 PM

To: Walker, Nikuyah <nwalker@charlottesville.gov>

Cc: Boyles, Chip <boylesc@charlottesville.gov>; Hill, Heather <hhill@charlottesville.gov>; Magill, Sena <smagill@charlottesville.gov>; Marshall, Ashley <marshalla@charlottesville.gov>; Payne, Michael <mpayne@charlottesville.gov>; Robertson, Lisa <robertsonl@charlottesville.gov>; Robinson, Maxicelia <robinsonma@charlottesville.gov>; Sanders, Samuel <sanderss@charlottesville.gov>; Snook, Lloyd <lsnook@charlottesville.gov>; Thomas, Kyna N <thomaskn@charlottesville.gov>; Wheeler, Brian <wheelerb@charlottesville.gov>

Subject: Re: Request for Removal of Bellamy Brown as a member of the PCRB

Good afternoon Mayor Walker,

I greatly appreciate your reply and certainly understand the intricacies involved with our Board dynamics. I believe the vote taken, although having no binding power, shows a divide. I am an optimist and do not think it insurmountable but there are lingering questions that I await Ms. Robertson's opinion.

There is the question of the determination that Ms. Gilmore's vote was an abstention. Did we do due diligence in contacting Ms. Gilmore? I am not sure.

I have looked and looked at the Bylaws, and Ordinance and cannot see that this was addressed.

Additionally, there is the question that the Mayor has raised which goes beyond my knowledge. I do support the use of the word "conspire" to describe Mr. Brown's actions. That Mr. Brown kept the Board in the dark while doing his investigation is certainly conspiratorial and the methodology sounded haphazard based on a comment from Ms. Burke. I did not know until last night the depth of Bill Mendez's urging to add a disclaimer to the 08/12/21 statement from Mr. Brown.

I am bolstered by this email. However, I will step back and look for strategies for healing this Board. I look forward to Mr. Aguilar taking on the reins as the Executive Director later this month.

Thank you,
Nancy Carpenter
PCRB
Board member

From: Walker, Nikuyah <nwalker@charlottesville.gov>

Sent: Friday, September 10, 2021 12:10 PM

To: Carpenter, Nancy <carpentern@charlottesville.gov>

Cc: Boyles, Chip <boylesc@charlottesville.gov>; Hill, Heather <hhill@charlottesville.gov>; Magill, Sena

<smagill@charlottesville.gov>; Marshall, Ashley <marshalla@charlottesville.gov>; Payne, Michael <mpayne@charlottesville.gov>; Robertson, Lisa <robertsonl@charlottesville.gov>; Robinson, Maxicelia <robinsonma@charlottesville.gov>; Sanders, Samuel <sanderss@charlottesville.gov>; Snook, Lloyd <lsnook@charlottesville.gov>; Thomas, Kyna N <thomaskn@charlottesville.gov>; Wheeler, Brian <wheelerb@charlottesville.gov>

Subject: Re: Request for Removal of Bellamy Brown as a member of the PCRB

Hi Ms. Carpenter:

I read your email last week but didn't waste my time responding because I didn't think it would matter. Of course, I agree that Mr. Brown should be removed. I would also vote to remove Mr. Watson and Mr. Fracher; however, unless two of "my colleagues" agree with me on this matter, it will not come before us for a vote.

Ms. Robertson: What are our options regarding Mr. Brown using his position on the PCRB to conspire with the PBA, at least two councilors -Heather and Lloyd, and City staff to influence Dr. Brackney's firing?

Blue Skies,

Nikuyah Walker

Mayor

P.O. Box 911

Charlottesville, VA 22902

Phone: (434)326-8780

Clerk of Council - Kyna Thomas: (434)970-3113

"I will not have my life narrowed down. I will not bow down to somebody else's whim or to someone else's ignorance."

"To build **community** requires vigilant awareness of the work we must continually do to undermine all the socialization that leads us to behave in ways that perpetuate domination."

~bell hooks

On Sep 3, 2021, at 2:20 PM, Carpenter, Nancy <carpentern@charlottesville.gov> wrote:

Good afternoon,

After the events that have transpired from the last Board meeting on August 12, 2021 until today, it has become abundantly clear to me that Chair Brown is not embodying the purpose of the Charlottesville Police Civilian Review Board. To refresh your memory, the bylaws state that our purpose is "to provide objective and independent civilian-led oversight of the Charlottesville Police Department in an effort to enhance transparency and trust, to promote fair and effective policing, and to protect the civil and constitutional rights of the people of the City of Charlottesville".

He has not been transparent with all members of the Board regarding his year-long SECRET information gathering operation in order to participate in an action to have the Police Chief, Dr. Brackney, terminated from the position. Even today, 090321, he is identified by the Jerry Miller Show as the Chair of the PCRB which gives the impression that the Board somehow endorses or supports his statements.

This is a misfeasance of the duty of care he committed to when he accepted the appointment to this Board. Expressing his opinion publicly is a legal act although by doing this at a Board meeting, he has done great harm. The harm has been to the ability of the Board to now act in a way that is transparent (does a shadow board exist); to empower us to act in a culture of mutual respect: impairing community engagement when WE are seen as amplifying voices of officers who do not like their leadership instead of voices of those who have been disenfranchised in so many areas; common ground will be difficult to establish with all stakeholders now and public purpose is affected by this; how can the Board been seen as serious in championing "just, equitable, and legitimate policing policies" when 2 other additional board members support this misfeasance; and in Bylaws Article 2, item G the Board has been de- legitimized from ever being seen as effective in the execution of these objectives as long as Chair Brown remains on this Board.

The open gloating that has been done since Dr. Brackney has been removed is nauseating. "Winter is cominnng" Really" A GOT reference to war., why? "White supremacy didnt do this, I did this" That is so confusing.

I am open to discuss this with any Council member.

Respectfully,
Nancy Carpenter

From: Mendez, William

Sent: Friday, October 8, 2021 3:06 PM

To: FOIA

Subject: Fw: Chairman's Statement - Initial Draft

Attachments: Chairman's Statement.docx

From: Brown, Bellamy <brownbe@charlottesville.gov>

Sent: Tuesday, August 10, 2021 12:13 AM

To: Hudson, Cynthia <chudson@sandsanderson.com>

Cc: Mendez, William <mendezw@charlottesville.gov>

Subject: Chairman's Statement - Initial Draft

Hi Cynthia,

Per our conversation, please find attached my initial draft of the statement.

I am still awaiting some documents from the Police Benevolence Association, but this covers the general gist.

Regards,

Bellamy

Chairman's Statement on Local Government and Its Community Impact

Good evening members of the Board, City Leadership, and the Community. Over the course of the past year, I have been meeting with officers from the Charlottesville Police Department in order to become a better-informed member of the Police Civilian Review Board. Many of those conversations led me to speak with other senior leaders in our community for corroboration and additional facts. Those sources will remain confidential; however, the content of this statement has been corroborated by at least two sources for the facts presented. This statement is made without regard to race or gender, but rather leadership capacity and effectiveness.

As a reference point of the lens through which I have viewed the local government operations being discussed, my formal education and professional experience are as follows: I have obtained a Master of Business Administration with a concentration in finance; a Master of Accounting, masters-level coursework in American Government and Politics; and some legal education. I have worked in employment law, human resources, finance, accounting, and operations in a corporate setting. I have over a decade experience in organizational management and leadership; and trained since I was seventeen in the United States Marine Corps on two leadership principles: mission accomplishment and troop welfare. Even at that age, I firmly understood that troop welfare must always come first if a successful mission is to be carried out.

I've worked with and under the leadership of good leaders, bad leaders, empathetic leaders, and toxic leaders. It is this last type of leader that creates the biggest detriment to organizations and communities. Margaret Gary, in "Managing Toxic Leaders: HR's Role in Mitigating the Impact of Toxicity at Work," states, "followers of toxic leaders report a multitude of personal harms as the result of exposure to toxicity, including physical, emotional, psychological, and financial harms...It is common among followers of toxic leaders to either not report the behaviors or to do so anecdotally rather than through formal channels for fear of being socially excluded or receiving little support from the organization. When an employee becomes a victim of a leader's toxic behaviors, the performance, health, and financial well-being of the employee, organization, and other stakeholders suffer." In, "How Much Are Toxic Leaders Costing Your [Organization]?" Jonathan H. Westover, PhD states, "TCA (total cost of assholes) refers to the total cost to [organizations] for employing toxic managers who end up increasing company turnover rates and reducing the creativity, innovation, motivation and productivity of their team."

Richie Adams, PhD, in "Values-Based Police Leadership," argues that "there is a high degree of emotional labor in policing, and officers 'frequently experience stress at a higher rate than other careers'; for this reason, it is essential that leaders possess the necessary skills to support their staff...Effective leaders will develop an exchange relationship with their team. Where trust and respect are high and mutual, both leaders and followers benefit, and leaders who demonstrate ethical behavior inspire trust among their staff. For trust to develop, it's necessary for leaders to take responsibility for their values and actions. Where leaders demonstrate positive values, decisions are more easily discussed, debriefed, and learned from. Where this is evident, a department will evolve into a truly ethically based, learning-led organization."

Karen Michael, a Virginia labor law consultant, recently wrote in the Richmond-Times Dispatch, "[The Mario Cuomo] report should be a wake-up call to every employer. No one can be above your policies or the law. The governor's conduct and lack of remorse or accountability highlights an ongoing problem in today's workplaces: abuse of power...and failure of [an organization's] leadership to address known behaviors...Organizations must provide for a process to receive complaints and conduct objective investigations into them, which in this case was absent. Instead, those who surrounded Cuomo protected him and failed to stop the misconduct.

The report also found the governor's office tried to publicly discredit a victim, including by disseminating to the media confidential internal documents that painted her in a negative light...this type of retaliation against victims who complain...cannot be tolerated."

Over the course of my discussions with CPD officers and other senior local leaders, I have learned of the existence of a "Command Climate Survey," which provides an internal gauge of the conditions of the Charlottesville Police Department. In a prior PCRB meeting, member Carpenter made the suggestion that the Board obtain all seventy of the surveys; however, the vote was made to obtain one survey and revisit the decision, if necessary. In the survey provided, it's stated that, "command staff takes problems around the department personally, command staff is not open to evaluation and improvement, and that the survey will not be taken seriously by command staff and used to move the department as a whole in a positive direction." It's further stated the officer is, "actively seeking employment elsewhere with command staff and their decisions being a major factor." Of particular note the officer states, "I would really like to see the morale in the department be in a much better place. This is huge in retaining staff. Pay is important, but appreciation is key!!!"

It's also my understanding that the other sixty-nine surveys present a more dire picture. Additionally, in working with the Police Benevolence Association (PBA), a subsequent survey was conducted under which 80-90% of the sixty-five responding officers have a negative view of the climate inside of the Charlottesville Police Department due to the existing toxic leadership. I have also been made aware that officers of the PBA have been threatened with retaliation if the survey was published.

Through additional conversations with senior local government leaders, the toxic leadership that exists has been known for some time; and there has been an existing majority vote to act in the best interests of the community and terminate the toxic leadership. However, no action has been taken to date.

It is my recommendation that community members email and call all members of City Council and the City Manager everyday until action is taken on behalf of the greater good of the community. Additionally, it is my recommendation that community members follow my lead and vote Juandiego Wade and Brian Pinkston for Charlottesville City Council in November.

From: Mendez, William
Sent: Friday, October 8, 2021 3:07 PM
To: FOIA
Subject: Fw: Chairman's Statement - Initial Draft

From: Mendez, William <mendezw@charlottesville.gov>
Sent: Tuesday, August 10, 2021 9:33 AM
To: Brown, Bellamy <brownbe@charlottesville.gov>; Hudson, Cynthia <chudson@sandsanderson.com>
Subject: Re: Chairman's Statement - Initial Draft

Hey Bellamy: Some comments on your very brave presentation:

- It's too long for an oral presentation. At the end of a lengthy meeting, it may not have a lot of impact (or you might not even have time to read it.) 1000 words is a bit much. How about 500-700?
- You "bury the lede" as they say in the newspaper business. Start with a snappy opening. "I believe there is crisis in leadership [morale] in..." or something similar, and continue with a punchy opening paragraph that lays out the main points. I think we all know your credentials; the willingness to serve on the CRB being among the most important.
- As you well know, the words "toxic" (and asshole) are provocative, even if they are used in the leadership literature, and they come across as name calling. They invite another noisy news conference and what I believe would be a counterproductive conflict. If we have to go here, I would be a more comfortable if we could cite instances of poor leadership that would resonate with the public and the Council (see next point.) Maybe tie this back to our struggle for a stronger ordinance and procedures.
- I would stress the local, avoid the academic literature. We want to get access to Cville Climate Survey; point out the obstacles the CPD have placed in the way. The idea that low police morale may be leading to bad behavior (which is a good one) gets a little lost.
- Finally, no Board member (especially the Chair) should endorse political candidates by name. Better to say "support candidates in favor of strong police oversight."

The above are, of course, all opinions, based on my own limited knowledge and experience in police oversight. You may have other sources and deeper insights, and I encourage you to stick by your guns where you are convinced. Keep in mind (1) that you are the Chair and most people will assume you speak for the whole Board even if you make a disclaimer, and (2) how your statement will be distorted and taken out of context by the press (and social media). I would be delighted to continue to work further with you on the presentation if you think that would be worthwhile.

Best,

Bill

From: Brown, Bellamy <brownbe@charlottesville.gov>
Sent: Tuesday, August 10, 2021 12:13 AM
To: Hudson, Cynthia <chudson@sandsanderson.com>
Cc: Mendez, William <mendezw@charlottesville.gov>
Subject: Chairman's Statement - Initial Draft

Hi Cynthia,

Per our conversation, please find attached my initial draft of the statement.

I am still awaiting some documents from the Police Benevolence Association, but this covers the general gist.

Regards,

Bellamy

From: Mendez, William
Sent: Friday, October 8, 2021 3:08 PM
To: FOIA
Subject: Fw: Chairman's Statement - Initial Draft

From: Brown, Bellamy <brownbe@charlottesville.gov>
Sent: Tuesday, August 10, 2021 3:01 PM
To: Mendez, William <mendezw@charlottesville.gov>; Hudson, Cynthia <chudson@sandsanderson.com>
Subject: Re: Chairman's Statement - Initial Draft

Hi Bill,

Thanks for your input; I will make adjustments accordingly.

From my understanding, there is a possibility that between now and Thursday the matter may get resolved and there will be no need for a statement.

Will keep you posted.

Regards,

Bellamy

From: Mendez, William <mendezw@charlottesville.gov>
Sent: Tuesday, August 10, 2021 9:33 AM
To: Brown, Bellamy <brownbe@charlottesville.gov>; Hudson, Cynthia <chudson@sandsanderson.com>
Subject: Re: Chairman's Statement - Initial Draft

Hey Bellamy: Some comments on your very brave presentation:

- It's too long for an oral presentation. At the end of a lengthy meeting, it may not have a lot of impact (or you might not even have time to read it.) 1000 words is a bit much. How about 500-700?
- You "bury the lede" as they say in the newspaper business. Start with a snappy opening. "I believe there is crisis in leadership [morale] in..." or something similar, and continue with a punchy opening paragraph that lays out the main points. I think we all know your credentials; the willingness to serve on the CRB being among the most important.
- As you well know, the words "toxic" (and asshole) are provocative, even if they are used in the leadership literature, and they come across as name calling. They invite another noisy news conference and what I believe would be a counterproductive conflict. If we have to go here, I would be a more comfortable if we could cite instances of poor leadership that would resonate with the public and the Council (see next point.) Maybe tie this back to our struggle for a stronger ordinance and procedures.
- I would stress the local, avoid the academic literature. We want to get access to Cville Climate Survey; point out the obstacles the CPD have placed in the way. The idea that low police morale may be leading to bad behavior (which is a good one) gets a little lost.
- Finally, no Board member (especially the Chair) should endorse political candidates by name. Better to say "support candidates in favor of strong police oversight."

The above are, of course, all opinions, based on my own limited knowledge and experience in police oversight. You may have other sources and deeper insights, and I encourage you to stick by your guns where you are convinced. Keep in mind (1) that you are the Chair and most people will assume you speak for the whole Board even if you make a disclaimer, and (2) how your statement will be distorted and taken out of context by the press (and social media). I would be delighted to continue to work further with you on the presentation if you think that would be worthwhile.

Best,

Bill

From: Brown, Bellamy <brownbe@charlottesville.gov>
Sent: Tuesday, August 10, 2021 12:13 AM
To: Hudson, Cynthia <chudson@sandsanderson.com>
Cc: Mendez, William <mendezw@charlottesville.gov>
Subject: Chairman's Statement - Initial Draft

Hi Cynthia,

Per our conversation, please find attached my initial draft of the statement.

I am still awaiting some documents from the Police Benevolence Association, but this covers the general gist.

Regards,

Bellamy

From: Mendez, William

Sent: Friday, October 8, 2021 3:08 PM

To: FOIA

Subject: Fw: Chairman's Statement - Initial Draft

From: Brown, Bellamy <brownbe@charlottesville.gov>

Sent: Tuesday, August 10, 2021 6:22 PM

To: Mendez, William <mendezw@charlottesville.gov>

Subject: Re: Chairman's Statement - Initial Draft

Hi Bill,

Something more significant may happen. It would be odd for us not to get the remaining surveys given we were already given one. If for some reason we don't get the remaining surveys, the PBA has their own recently conducted survey that we likely could get access to, which paints the same picture.

The PBA is also pursuing their own avenue but have offered to work in tandem where feasible.

I have an 8:30 call to the City Manager in the morning and the PBA met with him earlier today.

I will clean up the statement to have on hand in case it's still necessary; but by all accounts the leadership of CPD has no support at all in the community, in addition to no support by NACOLE.

Regards,

Bellamy

From: Mendez, William <mendezw@charlottesville.gov>

Sent: Tuesday, August 10, 2021 3:09 PM

To: Brown, Bellamy <brownbe@charlottesville.gov>

Subject: Re: Chairman's Statement - Initial Draft

Fine, Bellamy; By the matter being "resolved", do you mean the Board may get the Climate Survey, or perhaps something more significant may happen??

Thanks for pushing.

Bill

From: Brown, Bellamy <brownbe@charlottesville.gov>

Sent: Tuesday, August 10, 2021 3:01 PM

To: Mendez, William <mendezw@charlottesville.gov>; Hudson, Cynthia <chudson@sandsanderson.com>

Subject: Re: Chairman's Statement - Initial Draft

Hi Bill,

Thanks for your input; I will make adjustments accordingly.

From my understanding, there is a possibility that between now and Thursday the matter may get resolved and there will be no need for a statement.

Will keep you posted.

Regards,

Bellamy

From: Mendez, William <mendezw@charlottesville.gov>

Sent: Tuesday, August 10, 2021 9:33 AM

To: Brown, Bellamy <brownbe@charlottesville.gov>; Hudson, Cynthia <chudson@sandsanderson.com>

Subject: Re: Chairman's Statement - Initial Draft

Hey Bellamy: Some comments on your very brave presentation:

- It's too long for an oral presentation. At the end of a lengthy meeting, it may not have a lot of impact (or you might not even have time to read it.) 1000 words is a bit much. How about 500-700?
- You "bury the lede" as they say in the newspaper business. Start with a snappy opening. "I believe there is crisis in leadership [morale] in..." or something similar, and continue with a punchy opening paragraph that lays out the main points. I think we all know your credentials; the willingness to serve on the CRB being among the most important.
- As you well know, the words "toxic" (and asshole) are provocative, even if they are used in the leadership literature, and they come across as name calling. They invite another noisy news conference and what I believe would be a counterproductive conflict. If we have to go here, I would be a more comfortable if we could cite instances of poor leadership that would resonate with the public and the Council (see next point.) Maybe tie this back to our struggle for a stronger ordinance and procedures.
- I would stress the local, avoid the academic literature. We want to get access to Cville Climate Survey; point out the obstacles the CPD have placed in the way. The idea that low police morale may be leading to bad behavior (which is a good one) gets a little lost.
- Finally, no Board member (especially the Chair) should endorse political candidates by name. Better to say "support candidates in favor of strong police oversight."

The above are, of course, all opinions, based on my own limited knowledge and experience in police oversight. You may have other sources and deeper insights, and I encourage you to stick by your guns where you are convinced. Keep in mind (1) that you are the Chair and most people will assume you speak for the whole Board even if you make a disclaimer, and (2) how your statement will be distorted and taken out of context by the press (and social media). I would be delighted to continue to work further with you on the presentation if you think that would be worthwhile.

Best,

Bill

From: Brown, Bellamy <brownbe@charlottesville.gov>
Sent: Tuesday, August 10, 2021 12:13 AM
To: Hudson, Cynthia <chudson@sandsanderson.com>
Cc: Méndez, William <mendezw@charlottesville.gov>
Subject: Chairman's Statement - Initial Draft

Hi Cynthia,

Per our conversation, please find attached my initial draft of the statement.

I am still awaiting some documents from the Police Benevolence Association, but this covers the general gist.

Regards,

Bellamy

From: Mendez, William
Sent: Friday, October 8, 2021 3:09 PM
To: FOIA
Subject: Fw: Chairman's Statement - Initial Draft

From: Hudson, Cynthia E. <CHudson@sandsanderson.com>
Sent: Wednesday, August 11, 2021 11:34 AM
To: Brown, Bellamy <brownbe@charlottesville.gov>
Cc: Mendez, William <mendezw@charlottesville.gov>
Subject: RE: Chairman's Statement - Initial Draft

WARNING: This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Bellamy: As we discussed, I have reviewed the statement draft solely from a legal risk management standpoint as we have already discussed the matter of any legal implications arising from your plans to make such a statement at all. Having seen the statement, I continue to stress, in keeping with our discussion of the need to refrain from making negative personal characterizations of any one who can be readily identified, that you speak only in general terms. Though you have generally done that, I think the statement might be further scrubbed in this regard. Again, I note that in reviewing the statement I express no opinion regarding the choice to make such a statement, its import or its intended effect.

Best,
Cynthia



Cynthia E. Hudson
Attorney

Sands Anderson PC
PO Box 1998, Richmond, VA 23218-1998
Direct: (804) 783-7254 | Main: (804) 648-1636
www.sandsanderson.com | CHudson@sandsanderson.com | [Bio](#) | [vCard](#)

NOTICE from Sands Anderson PC: This message and its attachments are confidential and may be protected by the attorney/client privilege. If you are not the named addressee or if this message has been addressed to you in error, you are directed not to read, disclose, reproduce, distribute, disseminate or otherwise use this transmission. Please notify the sender immediately by e-mail and delete and destroy this message and its attachments.

From: Brown, Bellamy <brownbe@charlottesville.gov>
Sent: Tuesday, August 10, 2021 12:14 AM
To: Hudson, Cynthia E. <CHudson@sandsanderson.com>
Cc: Mendez, William <mendezw@charlottesville.gov>
Subject: Chairman's Statement - Initial Draft

CAUTION: External Message

Hi Cynthia,

Per our conversation, please find attached my initial draft of the statement.

I am still awaiting some documents from the Police Benevolence Association, but this covers the general gist.

Regards,

Bellamy

From: Mendez, William
Sent: Friday, October 8, 2021 3:09 PM
To: FOIA
Subject: Fw: Chairman's Statement - Initial Draft
Attachments: Chairman's Statement.docx

From: Brown, Bellamy <brownbe@charlottesville.gov>
Sent: Wednesday, August 11, 2021 4:40 PM
To: Hudson, Cynthia <chudson@sandsanderson.com>
Cc: Mendez, William <mendezw@charlottesville.gov>
Subject: Re: Chairman's Statement - Initial Draft

Hi Cynthia and Bill,

Please find an updated draft attached.

Regards,

Bellamy

From: Hudson, Cynthia E. <CHudson@sandsanderson.com>
Sent: Wednesday, August 11, 2021 11:34 AM
To: Brown, Bellamy <brownbe@charlottesville.gov>
Cc: Mendez, William <mendezw@charlottesville.gov>
Subject: RE: Chairman's Statement - Initial Draft

WARNING: This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Bellamy: As we discussed, I have reviewed the statement draft solely from a legal risk management standpoint as we have already discussed the matter of any legal implications arising from your plans to make such a statement at all. Having seen the statement, I continue to stress, in keeping with our discussion of the need to refrain from making negative personal characterizations of any one who can be readily identified, that you speak only in general terms. Though you have generally done that, I think the statement might be further scrubbed in this regard. Again, I note that in reviewing the statement I express no opinion regarding the choice to make such a statement, its import or its intended effect.

Best,
Cynthia

Cynthia E. Hudson
Attorney

Sands Anderson PC

PO Box 1998, Richmond, VA 23218-1998

Direct: (804) 783-7254 | Main: (804) 648-1636

www.sandsanderson.com | CHudson@sandsanderson.com | Bio | vCard



NOTICE from Sands Anderson PC: This message and its attachments are confidential and may be protected by the attorney/client privilege, if you are not the named addressee or if this message has been addressed to you in error, you are directed not to read, disclose, reproduce, distribute, disseminate or otherwise use this transmission. Please notify the sender immediately by e-mail and delete and destroy this message and its attachments.

From: Brown, Bellamy <brownbe@charlottesville.gov>
Sent: Tuesday, August 10, 2021 12:14 AM
To: Hudson, Cynthia E. <CHudson@sandsanderson.com>
Cc: Mendez, William <mendezw@charlottesville.gov>
Subject: Chairman's Statement - Initial Draft

CAUTION: External Message

Hi Cynthia,

Per our conversation, please find attached my initial draft of the statement.

I am still awaiting some documents from the Police Benevolence Association, but this covers the general gist.

Regards,

Bellamy

Chairman's Statement on Local Government and Its Community Impact

Good evening members of the Board, City Leadership, and the Community. I believe there is a crisis in leadership and morale in the Charlottesville Police Department. Over the course of the past year, I have been meeting with officers from the Charlottesville Police Department in order to become a better-informed member of the Police Civilian Review Board. Many of those conversations led me to speak with other senior leaders in our community for corroboration and additional facts. Those sources will remain confidential; however, the content of this statement has been corroborated by at least two sources for the facts presented. This statement is made without regard to race or gender, but rather leadership capacity and effectiveness.

Over the course of my discussions with CPD officers and other senior local leaders, I have learned of the existence of a "Command Climate Survey," which provides an internal gauge of the conditions of the Charlottesville Police Department. The Police Civilian Review Board was provided with one of the seventy surveys in existence. In the survey provided, it's stated that, "command staff takes problems around the department personally, command staff is not open to evaluation and improvement, and that the survey will not be taken seriously by command staff and used to move the department as a whole in a positive direction." It's further stated the officer is, "actively seeking employment elsewhere with command staff and their decisions being a major factor." Of particular note the officer states, "I would really like to see the morale in the department be in a much better place. This is huge in retaining staff. Pay is important, but appreciation is key!!!"

It's also my understanding that the other sixty-nine surveys present a more dire picture. Additionally, in working with the Police Benevolence Association (PBA), a subsequent survey was conducted under which 80-90% of the sixty-five responding officers have a negative view of the climate inside of the Charlottesville Police Department due to the existing toxic leadership. I have also been made aware that officers of the PBA have been threatened with retaliation if the survey is published.

Through additional conversations with senior local government leaders, the toxic leadership that exists has been known for some time; and there has been an existing majority vote to act in the best interests of the community and terminate the toxic leadership. However, no action has been taken to date.

It is my recommendation that community members email and call all members of City Council and the City Manager everyday until action is taken on behalf of the greater good of the community. Additionally, it is my recommendation that community members follow my lead and support city council candidates in favor of strong police oversight for Charlottesville City Council in November. If there was ever a case showing why this Board should be fully funded and supported, this is it, due to the fact that this is the only government entity that has been transparent with the public on this matter in bringing this to the public's attention.

From: Mendez, William

Sent: Friday, October 8, 2021 3:10 PM

To: FOIA

Subject: Fw: Chairman's Statement - Initial Draft

Attachments: Chairman's Statement WM comments.docx

From: Mendez, William <mendezw@charlottesville.gov>

Sent: Thursday, August 12, 2021 10:38 AM

To: Brown, Bellamy <brownbe@charlottesville.gov>; Hudson, Cynthia <chudson@sandsanderson.com>

Subject: Re: Chairman's Statement - Initial Draft

Hey Bellamy; in my usual style, I took it upon myself to edit your statement. Feel free to accept or reject the changes based on your own judgement.

First however: I know you feel strongly about these issues, but the Board is currently in a precarious position, where we need Council support to get an ordinance and where we want to avoid discouraging good candidates for Executive Director. Perhaps consider that the timing is not optimal.

Should you decide to go forward: First, I have put in a disclaimer, dissociating what you say from the policies of the Board. This is standard procedure and very important, because while Board members may share your views, we have not discussed or voted on the issues you raise.

Second, I rephrased the statements that referred to "toxic" leadership because that term is basically a personal insult suggesting that "toxic" person is inferior and/or unfit for their job. I have substituted "unresponsive and inflexible" since those terms can be linked to specific actions. (You might add "vindictive", or some other adjectives, but only if you can back it up.)

The other major change I have suggested removes the reference to the "majority vote", for two reasons: First, uninformed people might not know what that means. Second, when the Council took that vote they did so with the intent that it remain confidential; I think you endanger the relationship between the Board and the Council if we publicize it.* (It may be that certain members of the Council want the vote to become public, but this is still a very dangerous game for us to be playing) I leave it to your judgement whether disclosure would increase or reduce Council and public support for the Board.

Finally, what do we hope to accomplish? In the final paragraph, you urge folks to "act for the greater good." You prescribe voting and public activism to insist on change, but it seems really the hidden objective is to get rid of the Chief. This is something else needing explanation when you are asked.

Best,

Bill

* Actually, it might be illegal (or leave you open to person liability) if you publicize what happened at a closed Council meeting. Cynthia, any opinion?

From: Brown, Bellamy <brownbe@charlottesville.gov>
Sent: Wednesday, August 11, 2021 4:40 PM
To: Hudson, Cynthia <chudson@sandsanderson.com>
Cc: Mendez, William <mendezw@charlottesville.gov>
Subject: Re: Chairman's Statement - Initial Draft

Hi Cynthia and Bill,

Please find an updated draft attached.

Regards,

Bellamy

From: Hudson, Cynthia E. <CHudson@sandsanderson.com>
Sent: Wednesday, August 11, 2021 11:34 AM
To: Brown, Bellamy <brownbe@charlottesville.gov>
Cc: Mendez, William <mendezw@charlottesville.gov>
Subject: RE: Chairman's Statement - Initial Draft

WARNING: This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Bellamy: As we discussed, I have reviewed the statement draft solely from a legal risk management standpoint as we have already discussed the matter of any legal implications arising from your plans to make such a statement at all. Having seen the statement, I continue to stress, in keeping with our discussion of the need to refrain from making negative personal characterizations of any one who can be readily identified, that you speak only in general terms. Though you have generally done that, I think the statement might be further scrubbed in this regard. Again, I note that in reviewing the statement I express no opinion regarding the choice to make such a statement, its import or its intended effect.

Best,
Cynthia



Cynthia E. Hudson
Attorney

Sands Anderson PC

PO Box 1998, Richmond, VA 23218-1998

Direct: (804) 783-7254 | Main: (804) 648-1636

www.sandsanderson.com | CHudson@sandsanderson.com | [Bio](#) | [vCard](#)

NOTICE from Sands Anderson PC: This message and its attachments are confidential and may be protected by the attorney/client privilege. If you are not the named addressee or if this message has been addressed to you in error, you are directed not to read, disclose, reproduce, distribute, disseminate or otherwise use this transmission. Please notify the sender immediately by e-mail and delete and destroy this message and its attachments.

From: Brown, Bellamy <brownbe@charlottesville.gov>
Sent: Tuesday, August 10, 2021 12:14 AM
To: Hudson, Cynthia E. <CHudson@sandsanderson.com>

Cc: Mendez, William <mendezw@charlottesville.gov>

Subject: Chairman's Statement - Initial Draft

CAUTION: External Message

Hi Cynthia,

Per our conversation, please find attached my initial draft of the statement.

I am still awaiting some documents from the Police Benevolence Association, but this covers the general gist.

Regards,

Bellamy

Chairman's Statement on Local Government Police Leadership and Its Community Impact

Formatted: Left: 0.5", Right: 0.5", Top: 0.5", Bottom: 0.5"

Good evening members of the Board, City Leadership, and the Community. While I am currently Chairman of the Civilian Review Board, the views in this statement are purely my own. I believe there is a crisis in leadership and morale in the Charlottesville Police Department. Over the course of the past year, I have been meeting with officers from the Charlottesville Police Department in order to become a better-informed member of the Police Civilian Review Board. Many of those conversations led me to speak with other senior leaders in our community for corroboration and additional facts. Those sources will remain confidential; however, the content of this statement has been corroborated by at least two sources for the facts presented. This statement is made without regard to race or gender, but rather leadership capacity and effectiveness.

Over the course of my discussions with CPD officers and other senior local leaders, ~~I~~ the Board ~~has~~ has learned of the existence of a "Command Climate Survey," which was designed to provides an internal gauge of the conditions of the Charlottesville Police Department. The Police Civilian Review Board was provided with one of the seventy surveys ~~response forms~~ in existence. ~~In the survey~~ The respondent ~~provided~~ it's stated that, "command staff takes problems around the department personally, command staff is not open to evaluation and improvement, and that the survey will not be take seriously by command staff and used to move the department as a whole in a positive direction." It's further stated the officer is, "actively seeking employment elsewhere with command staff and their decisions being a major factor." Of particular note the officer states, "I would really like to see the morale in the department be in a much better place. This is huge in retaining staff. Pay is important, but appreciation is key!!!"

It's also my understanding that the other sixty-nine ~~surveys~~ responses present a ~~more~~ similarly dire picture. Additionally, ~~in working with the~~ Police Benevolence Association (PBA), ~~ahas~~ has subsequently conducted another survey ~~was conducted~~ under which 80-90% of the sixty-five responding officers ~~have reported~~ a negative view of the climate inside of the Charlottesville Police Department due to the ~~existing toxic~~ perceived leadership ~~shortcomings~~. I have also been made aware that officers of the PBA have been threatened with retaliation if the survey is published.

Through additional conversations with senior local government leaders, ~~the toxic leadership that exists has been~~ the problems with police morale and unresponsive and inflexible management have been known for some time; and there has been an existing majority vote to act in the best interests of the community and terminate the toxic leadership. ~~However,~~ but no action has been taken to date.

It is my recommendation that community members email and call all members of City Council and the City Manager everyday until action is taken on behalf of the greater good of the community. Additionally, it is my recommendation that community members follow my lead and support city council candidates in favor of strong police oversight for Charlottesville City Council in November. If there was ever a case showing why this Board should be fully funded and supported, this is it, due to the fact that this is the only government entity that has been transparent with the public on this matter in bringing this to the public's attention.

From: Mendez, William

Sent: Friday, October 8, 2021 4:49 PM

To: FOIA

Subject: Telephone Conversations on August 12

Mr. Bellamy Brown and I has several telephone conversations on August 12 relating to his planned statement at the CRB meeting that night. While I have no notes or recordings of our discussions, to the best of my recollection among other issues we discussed was the potential unreliability of both the PBA and CPD surveys relating to police attitudes, and the inadvisability of introducing this information at a CRB meeting.

William Mendez

Vice Chair

EXHIBIT I

< Mike Wells. PBA



Text messages
from Lloyd Snook

Friday, August 6, 2021



members are
pressuring
me about the
survey. please
let me know the
city managers
position as soon
as possible

10:41 AM

He'd like you
to call him -
987-0866. This
is already on his
radar screen.



5:29 PM



Enter message



< Mike Wells. PBA



ty

6:05 PM

Saturday, August 7, 2021

Hope you had a good talk.



12:00 PM



we did. we have a meeting scheduled for tuesday although we may meet monday if his meeting the landmark hotel allows time afterward



Enter message



< Mike Wells. PBA



afterward

12:02 PM

If possible, can we have these interactions through my email at lsnook@charlottesville.gov? If someone sends in a FOIA request, it is easy to answer by looking at my email account. Plus, I don't use texts much, and it may be entirely



Enter message



< Mike Wells. PBA



through my email
at lsnook@cha
rlottesville.gov?
If someone
sends in a FOIA
request, it is
easy to answer
by looking at my
email account.
Plus, I don't use
texts much, and
it may be entirely
an accident if I
see it.

12:02 PM



ok

12:03 PM

EXHIBIT J



VIRGINIA POLICE BENEVOLENT ASSOCIATION

A Division of Southern States Police Benevolent Association
2155 Highway 42 S
McDonough, GA 30252-7636
(770) 389-5391 • (800) 233-3506
Fax: (770) 389-4572 • (866) 337-7722
www.sspba.org

August 10, 2021

Councilwoman Heather Hill
PO Box 911
Charlottesville, VA 22902
hhill@charlottesville.gov

Councilwoman Hill,

The men and women of the Charlottesville City Police Department are hurting. They are looking around the national and local landscapes and only seeing negative examples and opinions of police work amplified at the expense of the majority in this profession.

Naturally, we would look to our leadership in the department to demonstrate our good works and represent us as police officers to our community. Unfortunately, we have lost faith in the leadership of this department. We have realized that we can no longer rely on the standard procedures that provide due process. There was a time when an investigation or even interviews were a requisite first step before condemnation.

Policing is a complex and highly dynamic line of work. We are trained to face dangerous situations with the knowledge that our community knows that our work is essential to the civil society and understands that force, a last resort in any situation, is sometimes a necessary evil to enforce the law. That balance is now lost; and officers are left wondering whether they have a future in the profession they once loved.

When we have asked the Chief of Police to explain the new rules to our officers, we are met with anger or silence. In most situations, our officers are left to infer the rules in this ever-changing landscape solely on the basis of Department discipline of other officers. Unfortunately, the intricacies of each situation are often unclear and are not explained to younger officers on the street. With that void, a chasm has formed between this department and its appointed leader.

Instead of leadership, we get to learn about the impact of our policing practices with no confounding factors explained. The implication is obvious and offensive to the officers who patrol the streets of Charlottesville City. A leader, especially one who has led this organization for 3 years and been a commander for decades, needs to accept ownership and bring solutions --- not point fingers.

Councilwoman Hill
Page 2

I ask each of you to examine the new life of a police officer in Charlottesville City. Each of them is sitting in their cruiser dreading the next dispatched call because that could be the one where things do not go as planned. A minor mistake, or even a completely lawful, justified action that doesn't have good optics, can be amplified immediately through social media and prosecuted as a criminal offense with the backing of a Police Chief who will not wait for context through an investigation. Police work is not a neat and tidy job. There are always rough edges.

Please be thankful that these are not the consequences for you or your family the next time that you make a mistake or misjudge a situation at work.

There is a movement in this country, and now, indeed, this city to reform our police policies, procedures, and tactics. If that is the resolve of the people of Charlottesville City, then it is their right to get the police department that they want. However, I would caution that cultural change requires leadership that is contingent on the relationship of the Chief to the department personnel. They must be willing to follow. That relationship is gone.

The Virginia Police Benevolent Association surveyed its Charlottesville City members regarding their current feeling of job security and satisfaction. Below, I present those results to you. Please note, 65 people completed the survey.

As we move forward through the process of reviewing our practices in line with our community's expectations, I ask that you question whether you have the right Chief of Police to deliver this department through its current crisis and to repair the damage that has been caused.

If you can find time on your schedules, I would like to schedule meetings to discuss this crisis and how it is affecting the CPD. From the officer's perspective, we can offer the true situation that is unfolding at the street level. Please let me know if you have availability to speak with us.

Very Respectfully,



Michael Wells
President, Central Virginia Chapter
mwells@sspba.org
(540) 241-1590

MW:clr

“Please answer the following questions as honestly as possible. The term “Command Staff” refers to the Chief of Police, Major, and Captains. The term “PCRB” refers to the Police Civilian Review Board.”

Survey Results:

Question 1: Considering the current national concern about increasing crime and the scrutiny of policing policies and procedures, do you feel the current Chief of Police has the ability to lead the CPD into this new era?

Yes: 9.6%, No: 69.4%, Undecided: 21%

Question 2: If you are accused of violating policy, do you believe you will receive a fair administrative process?

Yes: 8.0%, No: 82.3%, Undecided: 9.7%

Question 3: Do you believe a well-run PCRB, working in concert with internal affairs, would improve the current administrative process?

Yes: 11.3%, No: 71%, Undecided: 17.7%

Question 4: Is a strong PCRB with binding discipline, independent investigative authority, and subpoena power a good alternative to the current administrative process?

Yes: 4.8%, No: 83.9%, Undecided: 11.3%

Question 5: Do you believe your actions during an arrest will be honestly reviewed by the current Command Staff?

Yes: 24.2%, No: 54.8% Undecided: 21%

Question 6: Has the current political climate in the city caused you to reduce your normal policing activities (traffic stops, arrests, community policing, etc.) for fear of being targeted by community groups?

Yes: 90.2%, No: 4.9%, Undecided: 4.9%

Question 7: Have the actions of the Command Staff caused you to reduce your normal policing activities (traffic stops, arrests, community policing, etc.) for fear of being unfairly targeted by CPD leadership?

Yes: 82.3%, No: 9.7%, Undecided: 8.1%

Question 8: Do you believe the Command Staff are strong leaders and have the best interests of officers in mind?

Yes: 8.1%, No: 77.4%, Undecided: 14.5%

Question 9: Do you believe the Chief of Police has the best interests of the CPD in mind?

Yes: 9.7%, No: 83.9%, Undecided: 6.5%

Question 10: Do you feel professionally supported by the Command Staff?

Yes: 12.9%, No: 71%, Undecided: 16.1%

Question 11: Is Command Staff open to evaluation and improvement?

Yes: 8.1%, No: 80.6%, Undecided: 11.3%

Question 12: Is training at CPD readily available, sufficient in scope, and applicable to your daily duties?

Yes: 22.6%, No: 62.9%, Undecided: 14.5%

Question 13: Have you considered other career options because of the additional community pressure and scrutiny put on CPD officers in the past three years?

Yes: 83.9%, No: 8.1%, Undecided: 8.1%

Question 14: Has the Chief of Police, in her role as a leader, helped to make you feel more or less secure in your future with the CPD?

I feel LESS secure in my career: 80.6%

I feel MORE secure in my career: 1.6%

The Chief's actions do not affect my feelings of security in my career: 17.7%

Question 15: If a friend or relative was interested in a career in Law Enforcement would you:

Tell them to apply to CPD: 8.1%

Tell them to apply to another law enforcement agency: 61.3%

Tell them to consider another profession: 30.6%

Question 16: Are the Command Staff and their decisions a major factor in your current feeling about your law enforcement career?

Yes: 74.2%, No: 16.1%, Undecided: 9.7%

Question 17: What are the four largest concerns the CPD faces presently?

The 4 most widely cited concerns were:

Lack Trust and Faith in Department Leadership

Unfair Discipline

Low Morale

Pay

EXHIBIT K

9/24/21, 3:18 PM

Mail - FOIA - Outlook



Online Form Submittal: Email Contact Form for ALL City FOIA Requests

noreply@civicplus.com <noreply@civicplus.com>

Sat 9/18/2021 7:27 AM

To: FOIA <foia@charlottesville.gov>; Wheeler, Brian <wheelerb@charlottesville.gov>

Email Contact Form for ALL City FOIA Requests

Please complete the online form below to submit your message.

Contact Information

Name: RaShall Brackney

Address:

City: Charlottesville

State: VA

Zip: 22911

Home Phone Number:

Daytime Phone Number: *Field not completed.*

Email Address: rmbst127@mail.rmu.edu

Enter the details of your
FOIA request here

I am requesting the records, calendar, correspondences or notes of Chip Boyles' meeting dates, time, location and subject from July 1, 2021, through September 1, 2021, with Mike Wells (PBA), Lt. Brian O'Donnell, Bellamy Brown, Lt. R. Haney, Captain S. Knick, Capt. L (Tito) Durette, Cpt. J. Hatter, Lt. Dwayne Jones, Sgt. J. Lewis or any other PBA member. I request that, if the cost to be incurred in supplying these documents should exceed \$50 that I be notified before proceeding and supplied an estimated itemization of anticipated costs.

Email not displaying correctly? [View it in your browser.](#)

Boyles, Chip

Subject: Meeting at CMO
Location: CMO unless Monday
Start: Tue 8/10/2021 9:00 AM
End: Tue 8/10/2021 11:00 AM
Recurrence: (none)
Meeting Status: Meeting organizer
Organizer: Boyles, Chip

WELLS

Boyles, Chip

Subject: Bellamy Brown
Location: Call in to me.
Start: Wed 8/11/2021 8:30 AM
End: Wed 8/11/2021 9:00 AM
Recurrence: (none)
Meeting Status: Meeting organizer
Organizer: Boyles, Chip

Microsoft Teams meeting

Join on your computer or mobile app

Click here to join the meeting<https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDlyYzRjMzEtZDkxMS00ZjQ4LTkzM2QtZjI2NDVkJjc4YzM2%40thread.v2/0?context=%7b%22Tid%22%3a%22382285e4-f13b-448e-a0b2-d7a02f40e41b%22%2c%22Oid%22%3a%2227dba066-7c8c-41bd-a62a-dd7a02c9bd64%22%7d>

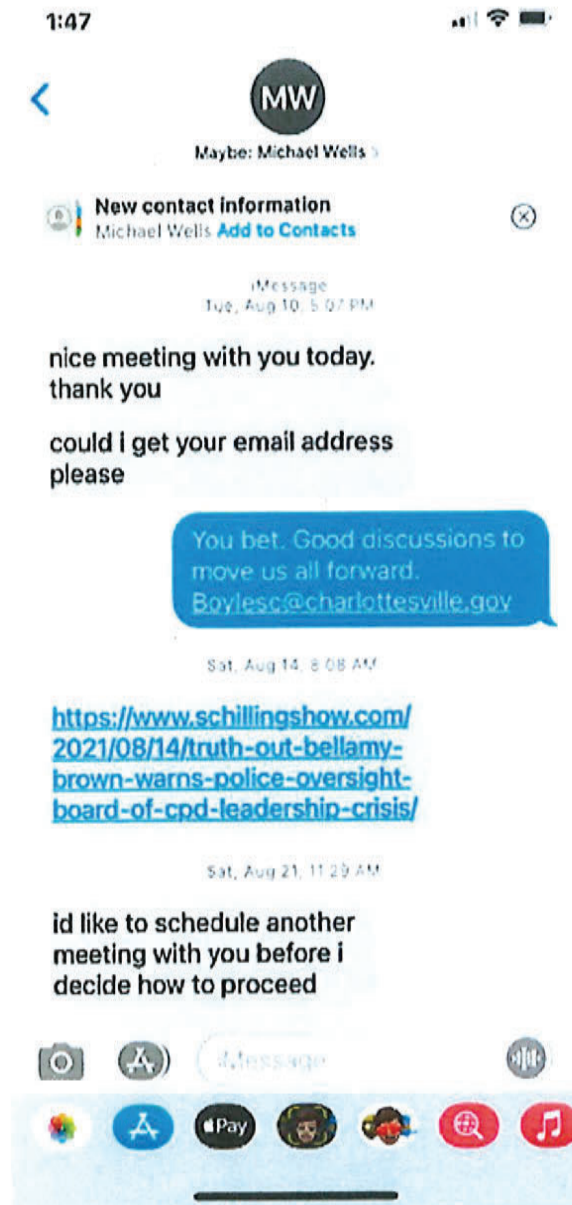
Learn More<<https://aka.ms/JoinTeamsMeeting>> | Meeting

options<https://teams.microsoft.com/meetingOptions/?organizerId=27dba066-7c8c-41bd-a62a-dd7a02c9bd64&tenantId=382285e4-f13b-448e-a0b2-d7a02f40e41b&threadId=19_meeting_MDlyYzRjMzEtZDkxMS00ZjQ4LTkzM2QtZjI2NDVkJjc4YzM2@thread.v2&messageId=0&language=en-US>

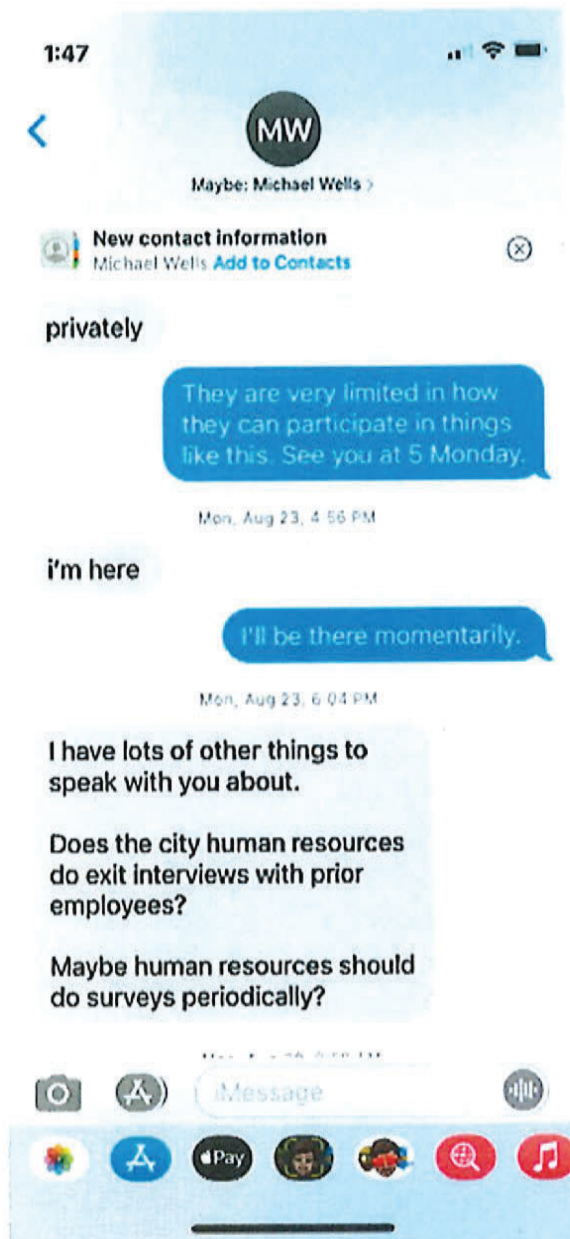
Boyles, Chip

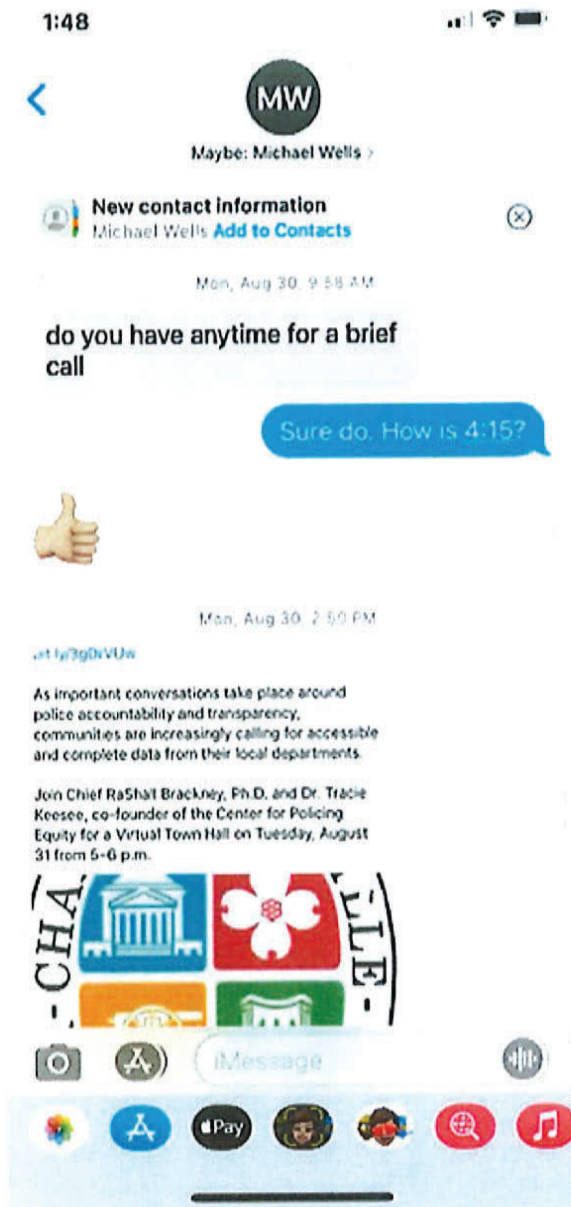
From: Boyles, Chip
Sent: Tuesday, September 21, 2021 1:49 PM
To: Boyles, Chip
Subject: Wells

Images











Sent from my iPhone

8.11.21

Ballying Brown

Talking w/ officers over last year.

Ballying: retaliation
officers putting own files together.

Previous straw vote by Council
to remove Police Chief
but not UNANIMOUS.

Church
past
conference

Internal climate survey of 70 officers.

"Tavia Leaders"

Community Action needed.

II. Gilmore incident: unlawful harassment
but legal use of force.

Example

III. SWAT Team

IV. City Attorney = Risk Management

DATE

8.10.21

PURPOSE/OBJET

Michael Wells

CUE COLUMN
COLONNE DES
INDICATEURS

NOTES

- ① ^{Climate} City Survey Oct/Nov '20.
- ② 25 days Aug 2

? Steve
Sellers

Harrisburg
sample

Asked about

on: Class: 7 guards

? Copy of Chief Brinkman's
Employment Agreement?

SUMMARY/SOMMAIRE

DATE 8.23.21PURPOSE/OBJET POLICE PBA5:00. 5:45 PMCUE COLUMN
COLONNE DES
INDICATEURS

NOTES

Listened to ~~team~~ 1/2
recordings of Mooney
: Listened to reasons
why Wells thinks
New leadership is needed.

Nothing New

SUMMARY/SOMMAIRE

EXHIBIT L



DONATE

GOVERNMENT + POLITICS

Mayor accuses city manager of being coerced into firing police chief during embattled council meeting



5 MIN READ

Tuesday, October 5, 2021, at 4:01 AM

CHARLOTTE RENE WOODS

@charlottewords

cwoods@cvilletomorrow.org



SHARE

Free newsletter

Local news headlines, 2-3x a week

Email address

SIGN UP TODAY

Charlottesville Mayor Nikuyah Walker accused the city manager, Chip Boyles, of being strong-armed by a police association into firing former Police Chief RaShall Brackney.

Walker made the accusation at the end of Monday's marathon City Council meeting, during which she grilled the city manager for details on why he fired Brackney.

The Central Virginia chapter of the Police Benevolent Association wanted Brackney gone, Walker said. And they had secret recordings of Assistant Chief James Mooney that, she believes, they used to coerce Boyles into removing Brackney.

"The reason that she was fired, the urgency around it at that time, is undeniable what that reason was," Walker said. "Because, unless she had done something that day or that week, which she hadn't—the only thing that would spark that kind of urgency is Mike Wells and whatever went on with them."

Walker then played clips of audio from calls between her and Boyles that she had recorded in August. In the call, Boyles explained that Michael Wells, the president of the Central Virginia chapter of the PBA, had recordings of Mooney that could be unfavorable.

"I think the other thing that had him [Mooney] caught in the middle, too, was that he has ties to all of these officers like Michael Wells who taped him with telephone conversations," Boyles told Walker in the recording. "I think he was also afraid of what may have come out of those conversations if they weren't heard in their entirety. I think he was talking in confidence to a person who you couldn't do that to."

In another recording, Boyles explained that he saw Wells' motivation for conducting a survey of officers was to get Brackney fired.

"I can't defend just going back and forth. This Wells guy, all he has in his sights is the chief's badge," Boyles said. "He is living 24 hours a day every day a week to try and get

chief's badge," Boyles said. "He is living 24 hours a day seven days a week to try and get her fired. He can say all he wants to, I think he could care less about the officers. For him, it's a mission."

Boyles did not respond directly to Walker's accusation. But, earlier in the meeting he said that the Mooney recordings had nothing to do with his decision to fire Brackney.

While he had met with Wells twice, and heard a recording that Wells had of Mooney, he said he didn't find it damaging to the department or to Mooney.

"There was never a quid pro quo arrangement with the PBA regarding those audio recordings, or videos, or any other information that they had that they felt relevant for the Charlottesville Police Department," he said.

Boyles asserted that he felt a change in leadership was necessary following the results of two police department surveys and conversations that happened in confidence with people who he would not name.

Prior to Brackney's termination, the Central Virginia chapter of the PBA had conducted an external survey that showed low morale within the Charlottesville Police Department and that a number of officers were considering employment elsewhere. Additionally, CPD had conducted its own internal survey which found similar dissatisfaction within the department by officers.

Though Boyles co-authored an unsigned letter that supported Brackney on Aug. 20, by Sep. 1, he announced that she was fired. Meanwhile, Mooney — who had filed paperwork the day before to retire — is remaining in the department for the next six months as [the city conducts a search for its next chief](#).

"It was a lot going on during a short time," Boyles said.

Boyles said he learned through [the surveys](#) and his conversations with stakeholders that many officers were deeply unhappy and threatening to leave — including several key department leaders.

The department was in chaos, he said. Because of the conversations he'd had, he said he did not believe Brackney would be capable of working collaboratively with officers — and other community members — in the manner needed to fix the situation.

other community members in the manner needed to fix the situation.

"I don't like how the information came about," he said of the PBA survey and its role in his decision to fire Brackney. "But I don't think it could be overlooked once the information was there."

Meanwhile, councilor Heather Hill defended the timeline of the termination.

"This decision to me was never in a very finite period of time. It's been something that has been considered and continued to be considered," Hill said. "And some acute things happened where a decision had to be made and I do not believe that it was influenced in the way that you [Walker] are presenting by Mr. Wells."

Councilors Lloyd Snook, Sena Magill and Michael Payne did not speak during much of the back portion of the meeting, but earlier in the discussion of Brackney's firing they each reflected on her efforts to reform the department and that they hoped the department would be able to continue on that progress.

Payne said that as reforms occur within the department, "there are going to be officers who don't want to adjust to those changes."

"We have to be open and supportive of some officers leaving the force as we move to a different model of policing," he added.

Trust, however, is something several members of the public called in to comment on feeling a lack of.

"How is this supposed to make the community feel? Where are we at in the factor of anything that's going on with the city right now?" local activist Katrina Turner said, addressing Boyles. "It seems like the citizens aren't even being thought of right now."



WRITTEN BY:

Charlotte Rene Woods

@charlottewords

cwoods@cvilletomorrow.org

Topics in this story

GOVERNMENT + POLITICS

EXHIBIT M

From: Magill, Sena
Sent: Thursday, September 30, 2021 1:28 PM
To: FOIA
Subject: FOIA request redinger 9/29

Sena Magill
She/Her/CIS

Vice Mayor
City of Charlottesville
P.O. Box 911
Charlottesville, Va 22902

From: mwells@sspba.org <mwells@sspba.org>
Sent: Tuesday, August 31, 2021 5:55 PM
To: Magill, Sena <smagill@charlottesville.gov>
Subject: RE: Meeting request

WARNING: This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

It was super nice meeting you this morning. I look forward to working with you in the future and making Charlottesville a World Class City again.

Mike

From: Magill, Sena <smagill@charlottesville.gov>
Sent: Tuesday, August 31, 2021 10:09 AM
To: 'mwells@sspba.org' <mwells@sspba.org>
Subject: RE: Meeting request

Hello Mr. Wells,
I apologize for not clarifying this last week.
I have sent a zoom link for 11 am this morning.

Thank you,

Sena Magill
She/Her/CIS

Vice Mayor
City of Charlottesville
P.O. Box 911
Charlottesville, Va 22902

From: mwells@sspba.org <mwells@sspba.org>
Sent: Thursday, August 26, 2021 11:43 AM
To: Magill, Sena <smagill@charlottesville.gov>
Subject: RE: Meeting request

WARNING: This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Can we plan on AUG 31 at 1100?

Over zoom or phone? If you would like or are able to speak earlier I will make myself available.

Mike

From: Magill, Sena <smagill@charlottesville.gov>
Sent: Wednesday, August 25, 2021 5:23 PM
To: 'mwells@sspba.org' <mwells@sspba.org>
Subject: RE: Meeting request

Hello Mr. Wells,

I have availability on Tuesday August 31st between 11-3, and Wednesday September 1 between 10-11 and Thursday September 2nd between 9-12 for a phone call. In person will be harder.

Please let me know if one of those dates/times works for you.

Sincerely,

Sena Magill

From: mwells@sspba.org <mwells@sspba.org>
Sent: Tuesday, August 24, 2021 10:31 AM
To: Magill, Sena <smagill@charlottesville.gov>
Subject: Meeting request

WARNING: This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Magill,

I hope you are well. I have attached the full Charlottesville City Police Survey that we conducted. I would like the opportunity to sit down with you and discuss some concerns.

I recently met with Chip Boyles on two occasions and Ms. Hill. I would like to afford you the same opportunity.

Please let me know your availability.

Michael Wells
Sr. Vice President of Virginia PBA
President Central Virginia PBA Chapter

mwells@sspba.org

540-241-1590

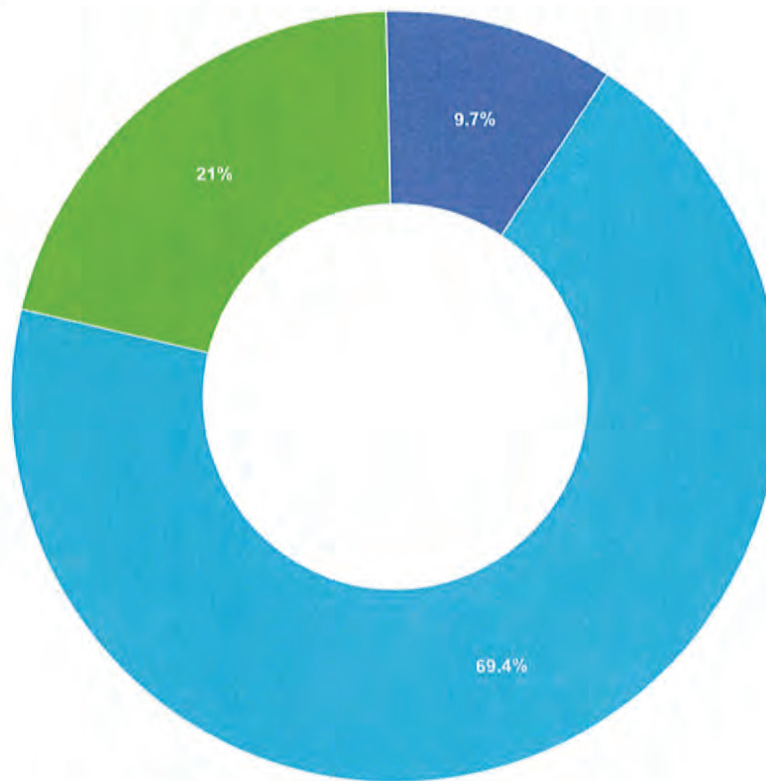
Check us out online – www.sspba.org



Charlottesville Police Survey

Please answer the following questions as honestly as possible. The term "Command Staff" refers to the Chief of Police, Major, and Captains. The term "PCRB" refers to the Police Civilian Review Board.

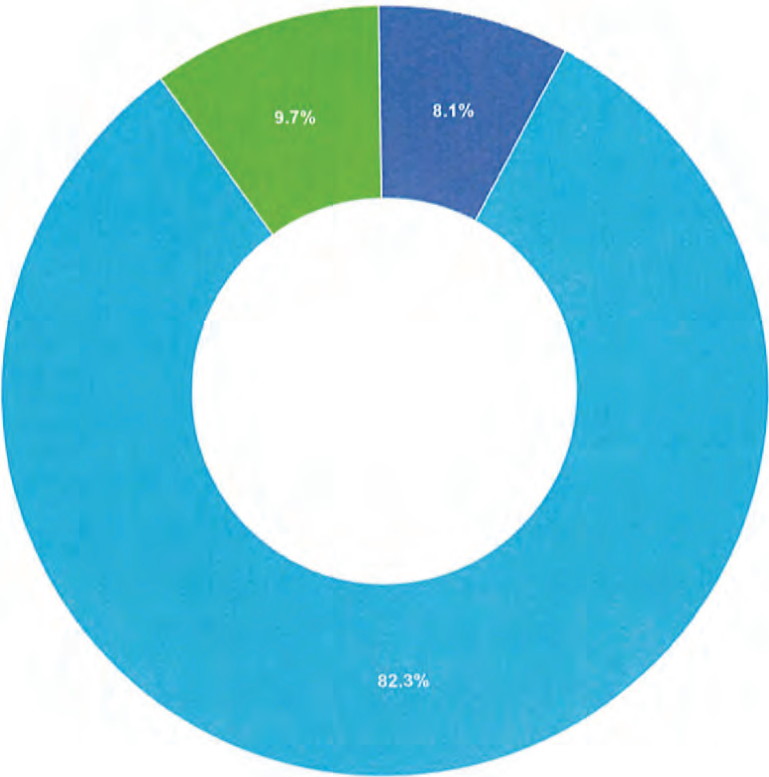
Q1 Considering the current national concern about increasing crime and the scrutiny of policing policies and procedures, do you feel the current Chief of Police has the ability to lead the CPD into this new era?



Answered: 62 Unanswered: 2

Choice	Total
 Yes	6
 No	43
 Undecided	13

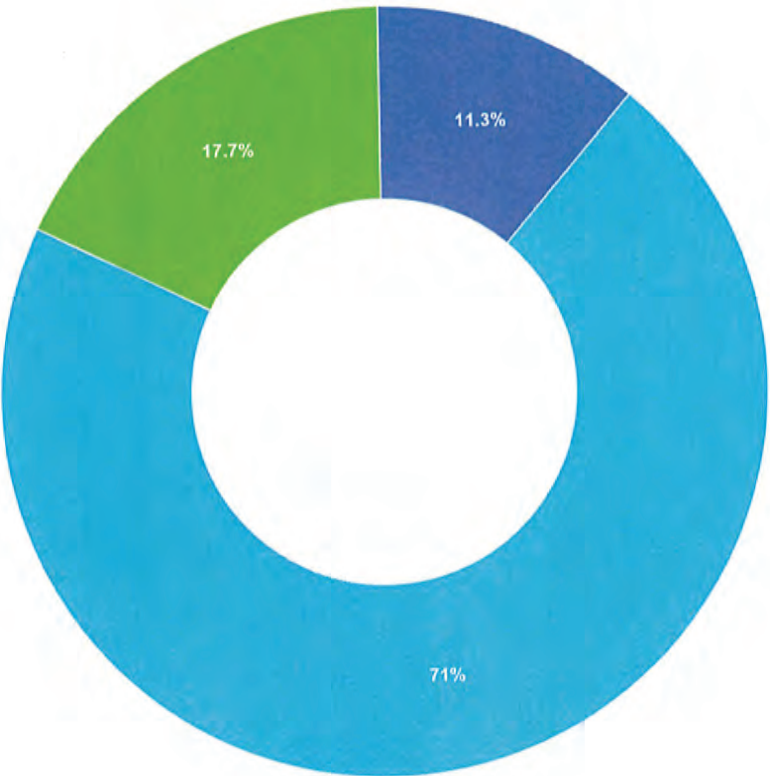
Q2 If you are accused of violating policy, do you believe you will receive a fair administrative process?



Answered: 62 Unanswered: 2

Choice		Total
	Yes	5
	No	51
	Undecided	6

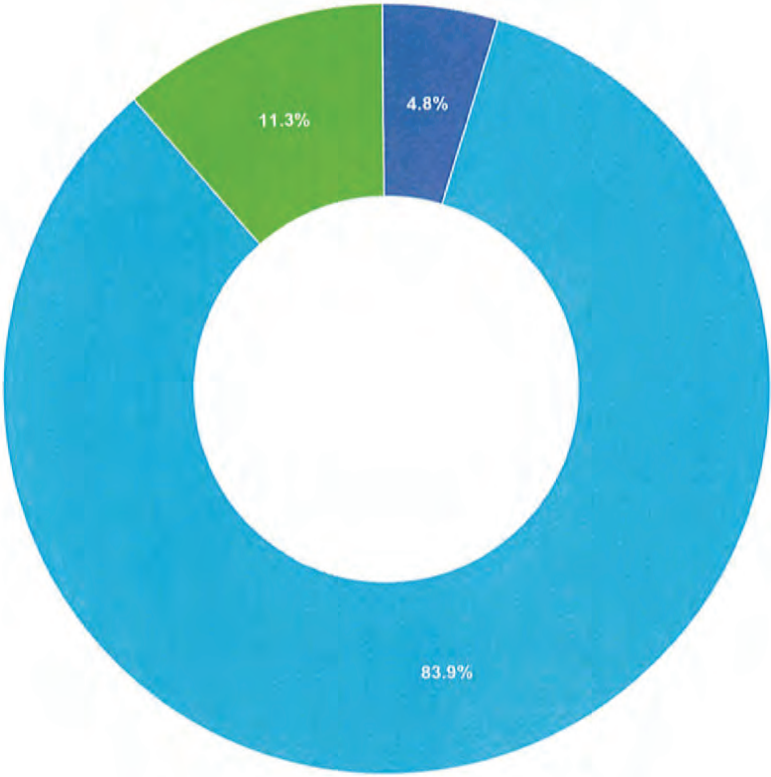
Q3 Do you believe a well-run PCRB, working in concert with internal affairs, would improve the current administrative process?



Answered: 62 Unanswered: 2

Choice		Total
	Yes	7
	No	44
	Undecided	11

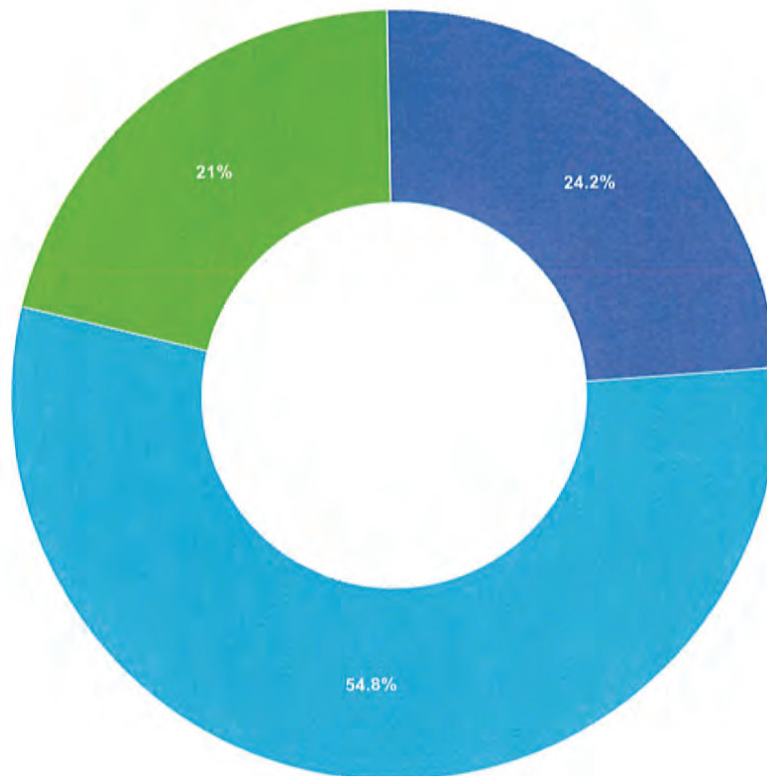
Q4 Is a strong PCRB with binding discipline, independent investigative authority, and subpoena power a good alternative to the current administrative process?



Answered: 62 Unanswered: 2

Choice		Total
	Yes	3
	No	52
	Undecided	7

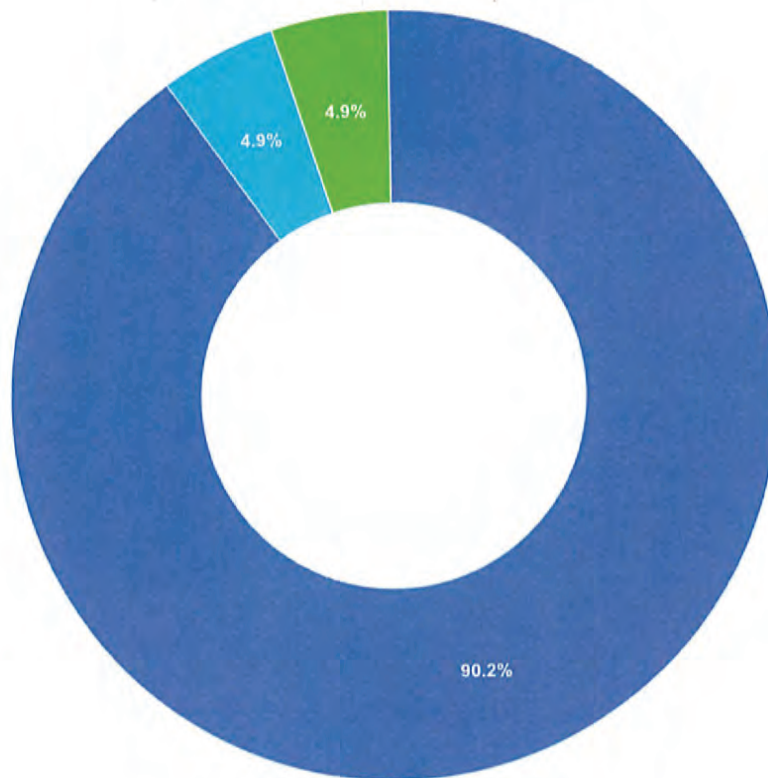
Q5 Do you believe your actions during an arrest will be honestly reviewed by the current Command Staff?



Answered: 62 Unanswered: 2

Choice		Total
	Yes	15
	No	34
	Undecided	13

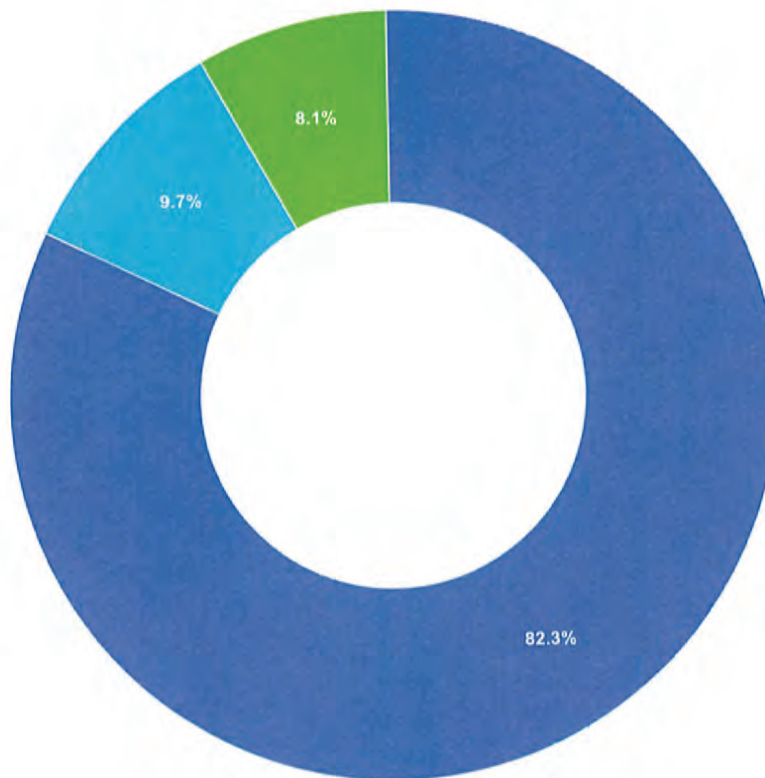
Q6 Has the current political climate in the city caused you to reduce your normal policing activities (traffic stops, arrests, community policing, etc.) for fear of being targeted by community groups?



Answered: 61 Unanswered: 3

Choice	Total
 Yes	55
 No	3
 Undecided	3

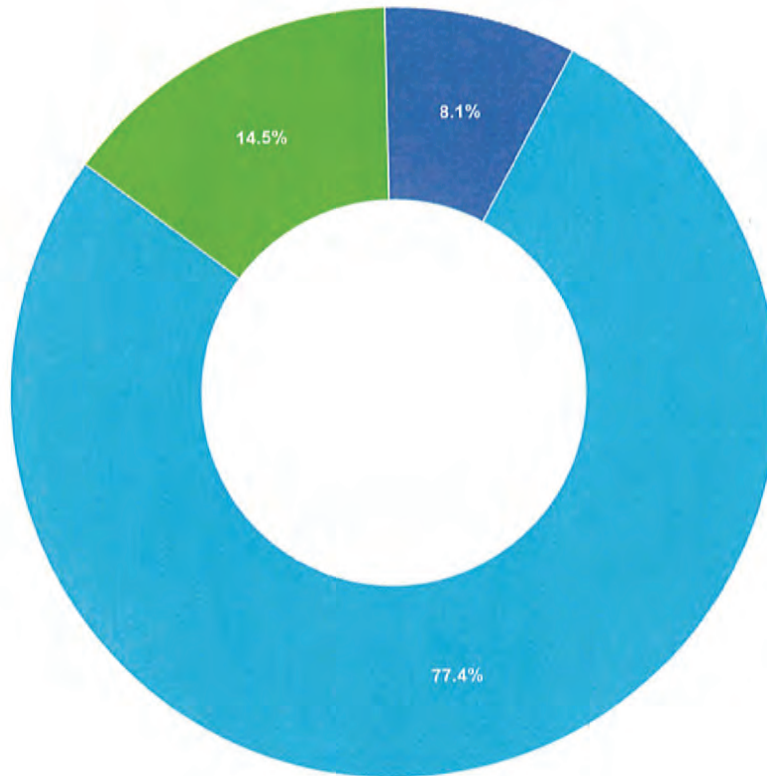
Q7 Have the actions of the Command Staff caused you to reduce your normal policing activities (traffic stops, arrests, community policing, etc.) for fear of being unfairly targeted by CPD leadership?



Answered: 62 Unanswered: 2

Choice	Total
● Yes	51
● No	6
● Undecided	5

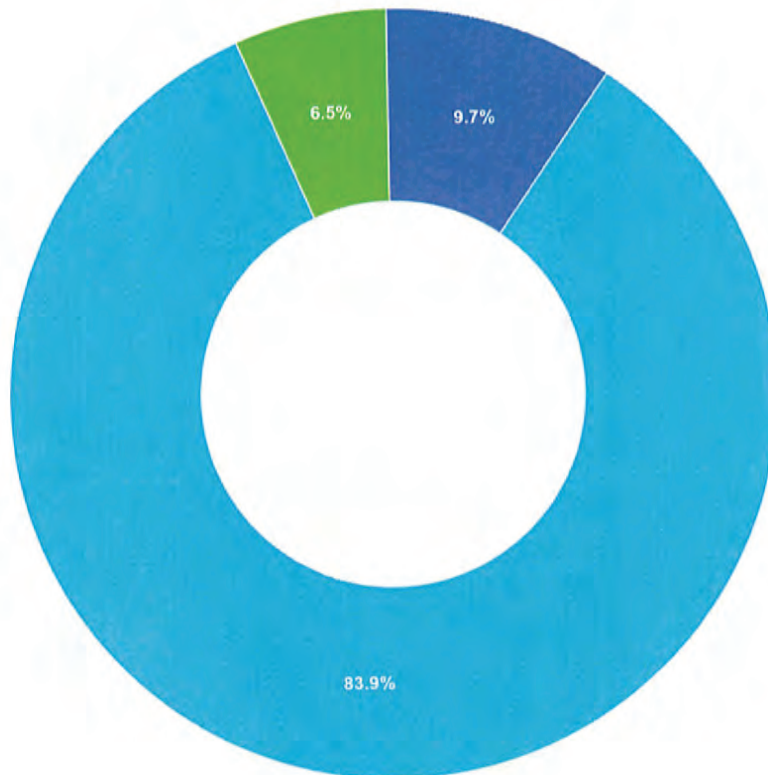
Q8 Do you believe the Command Staff are strong leaders and have the best interests of officers in mind?



Answered: 62 Unanswered: 2

Choice		Total
☒	Yes	5
☒	No	48
☒	Undecided	9

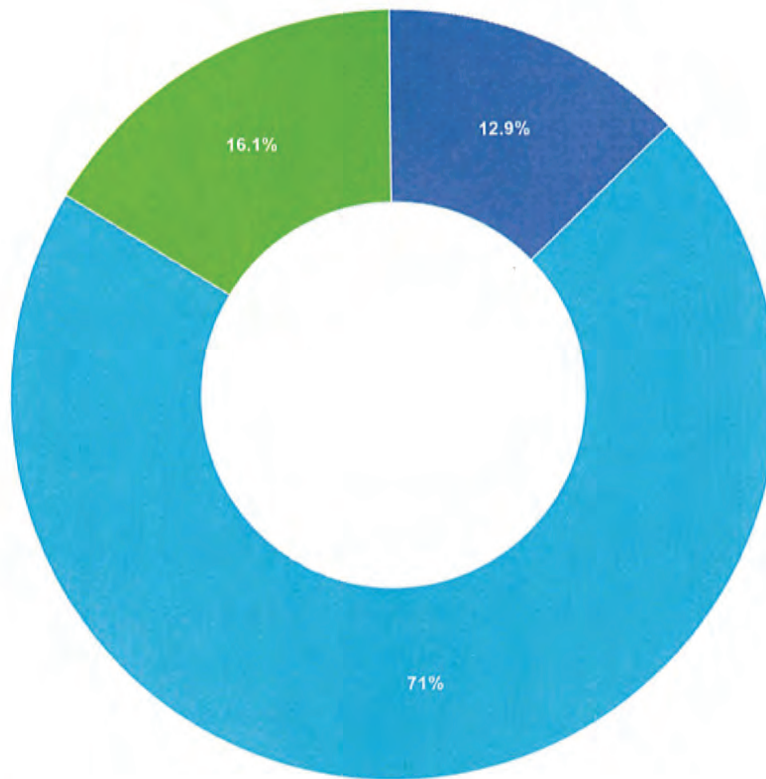
Q9 Do you believe the Chief of Police has the best interests of the CPD in mind?



Answered: 62 Unanswered: 2

Choice	Total
☒ Yes	6
☒ No	52
☒ Undecided	4

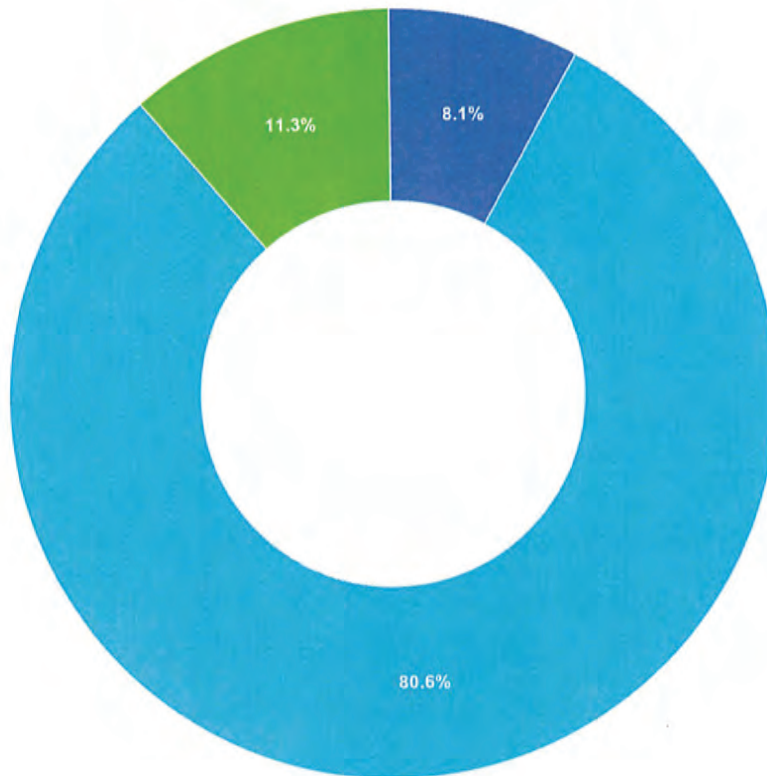
Q10 Do you feel professionally supported by the Command Staff?



Answered: 62 Unanswered: 2

Choice	Total
 Yes	8
 No	44
 Undecided	10

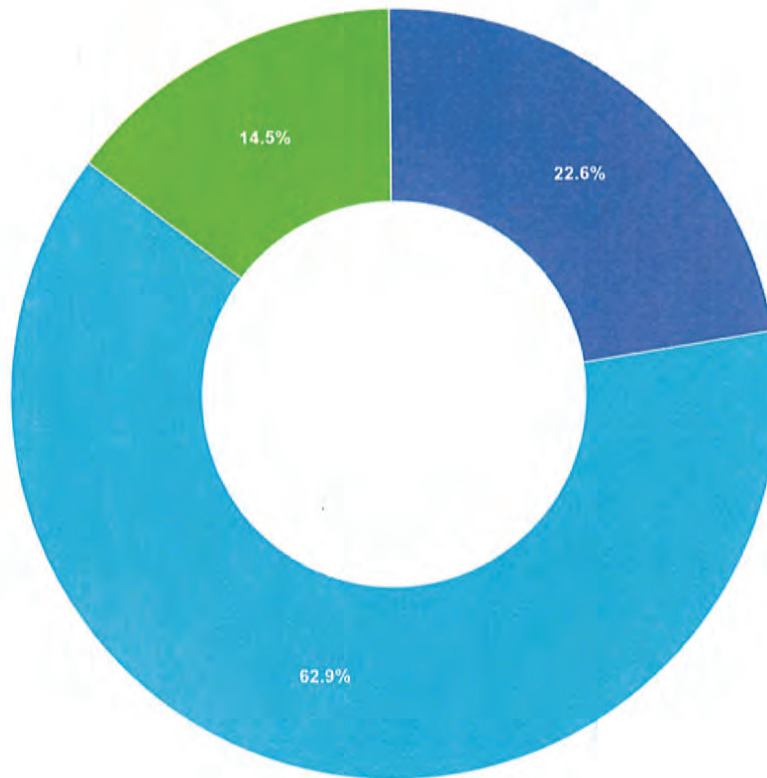
Q11 Is Command Staff open to evaluation and improvement?



Answered: 62 Unanswered: 2

Choice	Total
 Yes	5
 No	50
 Undecided	7

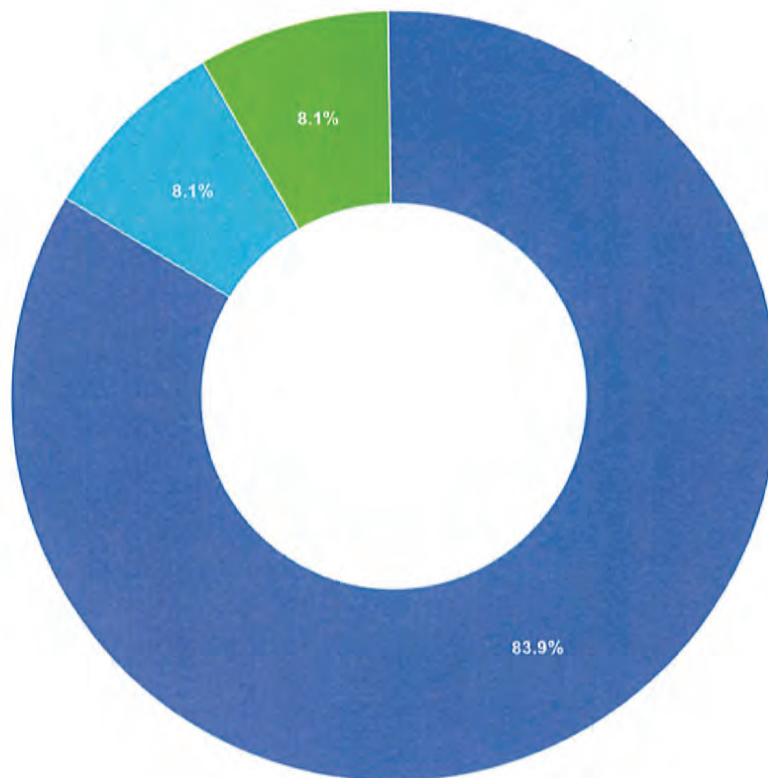
Q12 Is training at CPD readily available, sufficient in scope, and applicable to your daily duties?



Answered: 62 Unanswered: 2

Choice	Total
 Yes	14
 No	39
 Undecided	9

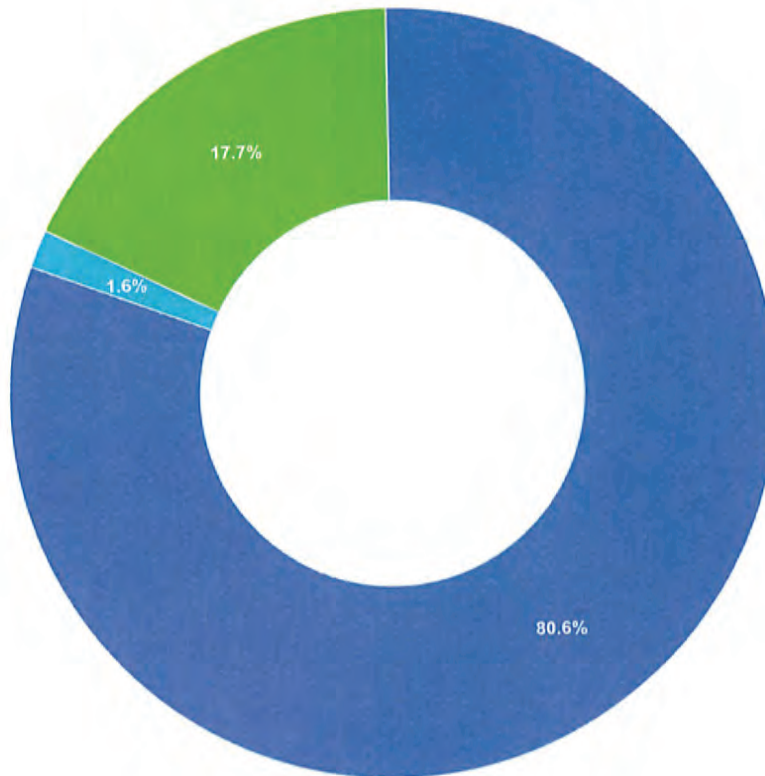
Q13 Have you considered other career options because of the additional community pressure and scrutiny put on CPD officers in the past three years?



Answered: 62 Unanswered: 2

Choice		Total
	Yes	52
	No	5
	Undecided	5

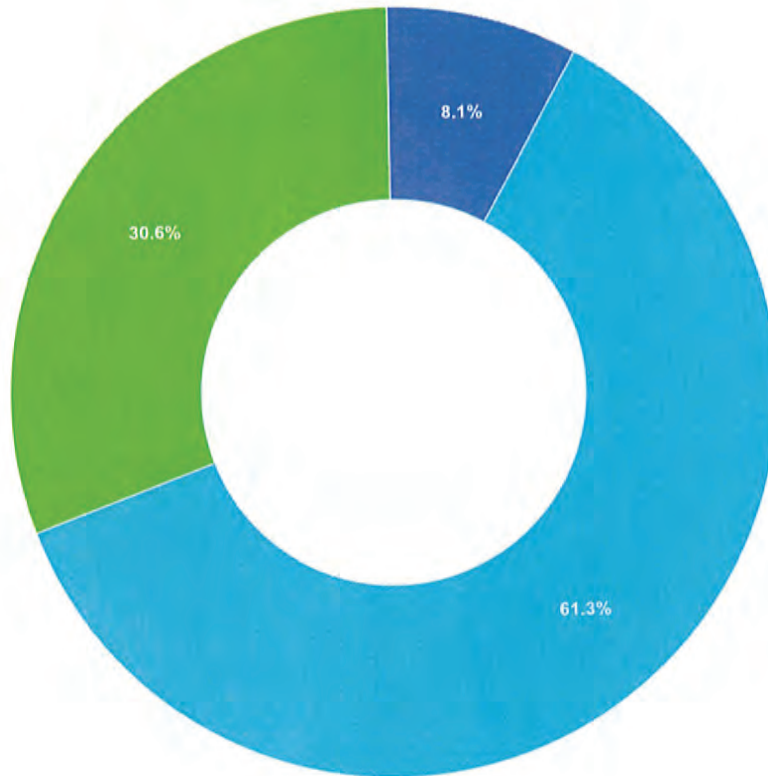
Q14 Has the Chief of Police, in her role as a leader, helped to make you feel more or less secure in your future with the CPD?



Answered: 62 Unanswered: 2

Choice	Total
 I feel LESS secure in my career.	50
 I feel MORE secure in my career.	1
 The Chief's actions do not affect my feelings of security in my career.	11

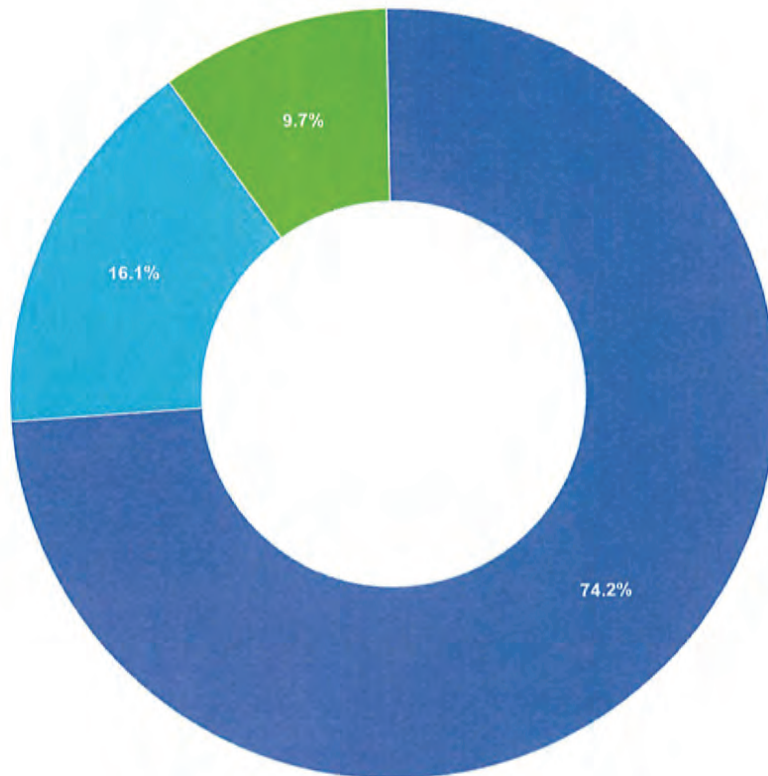
Q15 If a friend or relative was interested in a career in Law Enforcement would you:



Answered: 62 Unanswered: 2

Choice	Total
 Tell them to apply to CPD.	5
 Tell them to apply to another law enforcement agency.	38
 Tell them to consider another profession.	19

Q16 Are the Command Staff and their decisions a major factor in your current feeling about your law enforcement career?



Answered: 62 Unanswered: 2

Choice	Total
 Yes	46
 No	10
 Undecided	6

Q17 What are the four largest concerns the CPD faces presently?

Saturday, July 31, 2021, 8:26 AM UTC

- 1.) Lack of support from the community as a whole, including the City government.
 - 2.) Low morale
 - 3.) Increasing staff shortages
 - 4.) Lack of communication and transparency from Command level
-

Monday, July 26, 2021, 12:48 PM UTC

Lack of leadership.

Leadership is focused on finding ways to get rid of officers instead of investing in and building upon the individual officers strength and training to improve on areas of weakness.

Leadership doesn't support officers.

Leadership panders to the PCRB and public instead of providing support to officers.

Leadership has chosen to distance itself from calls where partnership with local mental health support organizations are key And this is due to CPD leaderships need to be in a pissing match for control instead of service to the community.

No leadership at CPD.

Sunday, July 25, 2021, 6:14 PM UTC

Recruitment, retention, leadership, and morale.

Saturday, July 24, 2021, 7:29 AM UTC

1. Current staffing numbers and Officers resigning about as fast as we can hire new ones; 2. The Commonwealth Attorney and his office is spineless and pitifully soft on crime; 3. The City Counselors, by either their own agenda or caving to political pressure, have made it clear that they do not support the CPD at all; 4. The current social persecution of Police which is amplified by the media makes Officers fearful and apathetic of the job and the public.

Friday, July 23, 2021, 10:30 PM UTC

Staffing

Pandering to special interests groups

Discipline actions

Pay scale

Friday, July 23, 2021, 8:59 PM UTC

Pay, staffing, PCRB, Council decisions

Friday, July 23, 2021, 6:01 PM UTC

Leadership

Morale

Competitive wages and incentives

Training

Friday, July 23, 2021, 5:29 PM UTC

Trust....Respect... loyalty (with in own department).

We are constantly losing good people (one was a excellent leader— how do we lose a 20 year employee?)

The citizens themselves constantly think we are racist and are throwing it in our face. Disregard that they are being racist to us for wearing a uniform.

Constantly having to CYA our actions.

Some who are in leadership have let it go to their head and have forgotten what it is like out on the front line. They have made just as many mistakes, and have done worst things than the one's out here now or even those who have left.

Friday, July 23, 2021, 5:22 PM UTC

Unable to compete with other departments salaries and benefits, which leads to is losing officers

Friday, July 23, 2021, 5:15 PM UTC

*CPD currently has no mission, no goals and no objectives. The agency flounders with no vision. We simply address issues as they arise. Daily activities involve making it through the duty shift and avoiding internal conflict to do it all again tomorrow.

*CPD for all purposes is no longer a law enforcement agency, and hasn't been for many years. The agency is not concerned with enforcing the law. It is more concerned with activism.

*On a specific level, the departments fleet is in terrible shape. While this is City of Charlottesville issue in the last couple of years (the way vehicles are purchased is a City matter, not CPD. And any and all concerns fall on deaf ears to city council and other city leadership.) The fleet is constantly old, never updated quickly enough and some of the oldest cars are flat out dangerous to drive. It is constantly brought up, but a take home car program would hold Officers accountable for their equipment, instill pride in their equipment and prolong the lifespan of city vehicles. It took me near a decade to obtain a take home car and as someone that now has one, I advocate the same for others.

*Proactivity is non-existent. This is due to two major factors. The feeling of non-support from Command in your actions, and also the overwhelming amount of paperwork and documentation that is required to simply do the job. If you spend 1/3 of your shift doing police work, you will spend the next 2/3 documenting your every last action. As a result, instead of spending ours doing meticulous paperwork documenting routine citizen contacts, Officer's simply decide to avoid the work all together. Proactivity doesn't exist and as a result the amount of new Officers with limited knowledge of how to do the job is staggering. There are years worth of Officers who don't know how to do the job because they simply don't have the experience to know what they are doing, despite being on the streets for several years.

Friday, July 23, 2021, 5:10 PM UTC

PCRB unwillingness to learn the job of police officers.

Pay step system

Specialties

Do as I say not as I do authority.

Friday, July 23, 2021, 4:10 PM UTC

Retention.

CRB

Lack of incentives for new hires

Lack of training

Tuesday, July 20, 2021, 9:06 PM UTC

My first concern is that the chief is more focused on her political career and personal interests over the safety and mental health of her officers. She will hang any officer out to dry before she admits any personal wrong doing or the wrong doings within the community.

Command staff is focused on appeasing the chief over being impartial and fair when it comes to discipline. There is a climate of fear within the department.

The chief has a no tolerance policy for policy violations but has violated many policies herself without hesitation. She is not disciplined for her personal actions but is quick to punish others for far less.

There is no standard way of discipline. If you are a "yes man" your punishment is far different from the person who speaks out against command staff and the chief. If you are favored by command staff and the chief, you will be favored for promotions over officers who speak out for their beliefs, even if they differ from the chief's personal views.

Tuesday, July 20, 2021, 6:26 PM UTC

Leadership, retention, pay, and vehicles

Tuesday, July 20, 2021, 12:29 PM UTC

Toxicity/Hostile workplace created by the Chief and Captain Hatter, pay, morale, favoritism that leads to few doing the workload and many others not pulling their weight.

Monday, July 19, 2021, 11:39 PM UTC

1. Accountability of Command Staff and Supervisors
 2. Supervisory retaliation
 3. Inability to be promoted throughout entire career
 4. Pay compression/Command Staff getting pay raises and lower personnel only receiving cost of living
-

Monday, July 19, 2021, 11:23 PM UTC

1. Command Support: We have been told bluntly that first line supervisors are instructed to review bodycam footage for the sole purpose of writing us up.
2. Community Pressure: We currently allow certain groups with anti-police sentiments do whatever they want in the city and we are instructed to stand down, pro-police sentiment groups are not afforded the same luxury. We do not feel as if we are supported to do our job, so we do little more than just answer calls anymore.
3. Vehicles: We currently do not have a vehicle take home policy. Which would be fine if our fleet vehicles were not so old and un-trustworthy. We currently have multiple officers in take home new Ford Explorers that only drive vans at work. So there are quality little driven marked SUVs that transport some officers to work and home, they should be used in the fleet instead of Crown Vics that have over 150,000 miles on them.
4. Money: Of course we are not paid enough. This is not one of my main concerns but it is concern.

Monday, July 19, 2021, 2:08 AM UTC

Training
Leadership
Longevity
Politics

Saturday, July 17, 2021, 5:01 PM UTC

Moral
Retention
Bias against Police
Lack of trust in command

Friday, July 16, 2021, 2:25 AM UTC

Competitive salaries
Employee retention
Training
Lack of leadership

Wednesday, July 14, 2021, 10:54 PM UTC

Unfair policing by command staff, command staff going after officers for personal vendettas, pcrb/citizens having too much influence over disciplinary actions, sometimes creating "lawful" actions, the major lack of leadership and what little leadership we have gets targeted and forced out of the department by our chief. Lastly our current administration is only concerned with advancing their own careers and stepping on their officers while trying to achieve their selfish goals.

Wednesday, July 14, 2021, 11:29 AM UTC

Morale, distrust, retention, public safety

Wednesday, July 14, 2021, 6:44 AM UTC

I feel like CPD command staff does not value or trust the officers under their command.

I feel like I do not have the support of my command staff.

Due to the current situation we have a very large amount of officers who have left and or in the process.

There has only been a few new officers added from the past few academy's. Safety and time off are going to become a concern.

Monday, July 12, 2021, 8:48 PM UTC

*Pay

*Not feeling supported from the top

*Not feeling valued

*Too much negativity coming from command and not enough positive affirmation. Command is very quick to tell you what you are doing wrong but fails to give praise when it do. Example officer of the months is six months behind and they haven't announced officer of the year for 2020 yet.

Monday, July 12, 2021, 4:33 PM UTC

1. The false arrest of Officer Jaeger, and the terminations of Wood, Oberholzer, Hudson, and Godfrey.
2. The mafia-esque culture of fear and retaliation.
3. Command staff lying and fabricating information to support their actions (suspensions, terminations, etc.) (lieutenants included)
4. We literally cannot do our jobs without the potential of having our lives ruined if someone complains.

Monday, July 12, 2021, 4:10 AM UTC

Retention is the Number 1 problem, due to:

- 1) Command staff, especially the Chief, do not know how to treat officers with respect and often address officers in a condescending and insulting manner during meetings;
- 2) Officers fear prosecution or firing for minor or false accusations of misconduct;
- 3) Officers are frequently responding to firearm calls and the CA's office usually fails to strongly prosecute these dangerous offenses;
- 4) The Chief's training contract policy has resulted in significantly more training requests being denied than in the past, and officers are less likely to request training in the first place. This was supposedly implemented for budget reasons, but the department always has \$100k+ left at the end of the fiscal year. The training contracts are demeaning and weaken the department's capabilities because officers are not receiving specialized training.

Sunday, July 11, 2021, 9:22 PM UTC

1. The lack of respect from the Command Staff is detrimental to the morale of the department. The Command Staff have repeatedly lied to us, made us feel like we are horrible at our jobs and are vindictive with their actions. We are not treated with the respect that other city employees are, more as outcasts, or the "bad employees."
2. All of our specialized units that help protect our community have been dissolved by the Chief.
3. Officers are being heavily scrutinized by the Command Staff, who are requiring Sgts to review videos regularly trying to find officers "breaking policy." However, the Command Staff breaks policy and there are no repercussions for them.
4. CPD does not offer compatible benefits compared to other local agencies. Salaries compared to UVAPD and ACPD are significantly less. Many of us have been kicked out of our office space at PD and are not made to feel welcome in the building. We are losing our take home cars, as there are not the funds to sustain this program as an incentive for our officers. However, the Command Staff has received salary increases, new office spaces and always have a take home vehicle.

Sunday, July 11, 2021, 7:08 PM UTC

Lack of support from command

Pay

Take home cars

Being charged by a liberal CA who cares more about an assault case than when an Officer got shot

Sunday, July 11, 2021, 2:33 AM UTC

Morale, leadership, recruitment, training

Saturday, July 10, 2021, 8:32 PM UTC

1. Lack of true leadership, it feels more like a dictatorship.
 2. We used to care about each other and now it seems like is that we are divided.
 3. Saving face is more important than taking care of your people, getting to know them, and making them feel valued.
 4. Morale is at an all time low and the environment is continuously hostile.
-

Saturday, July 10, 2021, 3:32 PM UTC

- low pay, no longevity pay, no education bonus.
 - Chief doesn't wanna be here and will throw us under the bus for her own gain
 - Rising gun violence but continued reduction in officers. (Quitting or transferring)
 - Community is against us, command staff doesn't have our back, review board is against us.
-

Saturday, July 10, 2021, 3:29 PM UTC

Officer retention

Command staff

CRB

Chief

Saturday, July 10, 2021, 3:20 PM UTC

Command staff

CRB

Use of force policy

Moral

Saturday, July 10, 2021, 4:23 AM UTC

1. The Chief and Command Staff have an absolutely massive disconnect between themselves and the day to day operations on the street level.
2. The Chief and Command Staff base too many of their decisions off of the possible public opinion and how their decisions will be viewed in the media.
3. Our Commonwealths Attorney has no interest in working with the police to prosecute crime. His only interest is in being re-elected
4. Retention. There is no reason for many officers to stay here.

Saturday, July 10, 2021, 1:33 AM UTC

City government

Pay

Pcrb

Friday, July 9, 2021, 9:59 PM UTC

Retention, cost of living, quality training, CRB

Friday, July 9, 2021, 9:08 PM UTC

Command seems to be very vindictive and selfish.

We only have patrol and investigations, with a minor traffic unit, and no other specialties available to officers.

Our SWAT team has been disbanded and doesn't seem like it's coming back.

Commands agenda seems political and not within the best interest of the officers they represent.

Friday, July 9, 2021, 8:58 PM UTC

Retention

Ineffective Leadership

Ineffective hiring/ training practices

Pay

Friday, July 9, 2021, 8:52 PM UTC

Pay, trust, leadership, fleet cars, morale

Friday, July 9, 2021, 8:08 PM UTC

1. Command staff is concerned only with personal goals and not the officers or community's well-being.
 2. Command staff is more concerned with appearance than substance in its community role.
 3. Command staff determines investigations by the outcomes they want rather than where an investigation leads them- resulting in willfully engaging in misrepresenting events and statements and other immoral/unethical activities. To include targeting those with dissenting opinions.
 4. Failing to provide meaningful training on or even allowing questions about the new use of force policy.
-

Friday, July 9, 2021, 6:49 PM UTC

Pay, staffing, pcrb, council

Friday, July 9, 2021, 6:28 PM UTC

Lack of experience, no swat team, no drug interdiction, no training

Friday, July 9, 2021, 4:54 PM UTC

1. Discipline. When Command reviews an incident, they'll find four minor policy violations to write you up for, even if you handled the major incident well.
 2. Lack of trust. We can't trust Command staff to have our backs if an incident really goes south.
 3. Paperwork. We have 8 different ways of documenting information on a single traffic stop, and we have to do them all. A lot of us don't do traffic stops because it's too much work.
 4. Online presence. Maybe Command is doing a great job but the way we see them interacting with the community via Facebook posts is pandering and heavily biased toward their political leanings. It's not okay to promote that on what should be a professional, neutral online space. We alienate our citizens with that kind of behavior.
-

Friday, July 9, 2021, 4:38 PM UTC

Officers are not supported by the command staff, I.E. Command staff is encouraging supervisors to unfairly scrutinize officers and write them up for every single minor violation. minor policy violations are viewed as discipline and officers are improperly trained and disciplined when they occur. Captain Hatter himself has said he has no idea why anyone would want to work for the department, as well as saying he hoped anyone who disagreed with him quit because he could run the department with six people, and he "could teach a monkey to do this job".

The command staff below the level of the chief (Major, captains, and LTs) are so scared of the chief that they are willing to do illegal and immoral things solely because she tells them to. Everyone is terrified of the chief and captain Hatter and unwilling to challenge her when they believe her actions or decisions are wrong.

Officers have been openly encouraged by command staff to do less police work, and to limit citizen contacts in order to reduce complaints. Officers have been openly discouraged from being proactive in high crime areas due to command staff believing officers in high crime areas will result in a negative interaction with the public even though the actual residents of these high crime areas have been calling in begging for a larger police presence.

As one could imagine due to the three above concerns all being related to the command staff discouraging officers from doing the job they got hired to do it has resulted in an all-time low in the morale of every officer. The morale has never been lower, and over 75 percent of the department is currently looking for employment elsewhere, and when officers are at work they have no proactive interactions, and the department has become completely reactive. Officers sit in parking lots around the city and complain to each other until they receive calls. And when they do respond to calls they are effectively walking on eggshells and scared to act because they are in fear of getting in trouble, fired, or arrested. Instead of asking officers how to improve morale this reactive behavior is encouraged and officers do not receive the necessary training to be proactive or how to act appropriately on calls because supervisors are also scared to have their officers act and be proactive.

Friday, July 9, 2021, 3:28 PM UTC

Inconsistent treatment of policy violations.

Poor training policies for new hires.

Inability to retain officers due to internal climate of distrust of command.

Inability to retain officers due to pay/benefits falling behind regional alternative agencies.

Friday, July 9, 2021, 3:24 PM UTC

Lack of training.

Short staffing.

Low pay.

Lack of support from City Council.

Friday, July 9, 2021, 3:14 PM UTC

1. Lack of support from command
 2. Low morale
 3. Lack of training opportunities
 4. Civilian Review Board
-

Friday, July 9, 2021, 3:07 PM UTC

The chief destroying ALL relations we have with any other agency.

No SWAT

No drug unit to stop the growing drug problem.

The chief using us as a political platform.

Friday, July 9, 2021, 3:01 PM UTC

The chief is vindictive and does not take criticism. Executive command is afraid of her and won't stand up when she is doing something unethical or wrong. She has no integrity and will target people she doesn't like as will others in command. The department has no faith or trust in command staff. She doesn't care about her officers she has other goals. Command and executive command are in self preservation mode. She is a corporate psychopath and I believe she possibly has some mental health issues. She is narcissistic and doesn't know how to lead or deal with people. We are hemorrhaging officers and she is looking at external issues not at her issues or those of command. We have no confidence in her or her command staff. Officers hide and wait for a call because they are scared to death to do their jobs. They know the chief, the city, the crb and the public will not back them.

Friday, July 9, 2021, 2:56 PM UTC

1. Trust in command
 2. Pay
 3. Trust in the commonwealth
 4. Fleet
-

Friday, July 9, 2021, 2:52 PM UTC

I don't know about 4 of the largest concerns. But honestly one thing is that it feels like command staff is only looking out for themselves. They're making policies that are nearly impossible to abide by. These include use of force policies. These policies are so strict almost any officer could be punished for doing almost anything. It seems like they are making it very easy for them to justify firing us at any given moment. It seems like they are doing this so that if any of us mess up more than a little they have their backs covered with these policies so they won't have to stand up for us. Recently several officers have been fired for saying politically incorrect things on their work phones. They were fired based on what they said with no evidence that any of that affected how they did their jobs.

The current climate of the department is "you better do nothing and say nothing or you will be fired"

It also seems they are giving everyone write-ups and suspensions for minuscule things in order for it to be very hard for officers to find work elsewhere.

Also instead of taking the time to find good recruits they hire a huge amount of people. It's like in the eyes of command staff officers are completely replaceable and disposable.

If you question or criticize any policies above sergeant level you will be given verbal counseling.

Also it's come to our attention the chief keeps all suspensions, verbal counseling's, and write ups in our files forever. Even after it says in our policy that they should be destroyed after a predetermined time.

These are just several things that concern me

Friday, July 9, 2021, 2:37 PM UTC

Salary, Retention, Morale, Support- all equally terrible currently.

Friday, July 9, 2021, 2:28 PM UTC

Chief of police looking out for her political self

The community review board having too much power

Unable to be proactive

Friday, July 9, 2021, 2:22 PM UTC

Lack of a SWAT element, poor command staff leadership, lack of training in firearms and essential defensive tactics, the chiefs ability to lead the officers in our department.

Friday, July 9, 2021, 2:21 PM UTC

- 1) Poor or lack of leadership
 - 2) No trust between patrol and command staff
 - 3) Picking and choosing when and where policy applies or doesn't.
 - 4) Large increase in suspension and write ups without any verbal counseling or explanation.
-

Friday, July 9, 2021, 2:15 PM UTC

Retention issues

Lack of Leadership

Lack of Specialties (SWAT, drug unit etc)

Terrible lack of adequate training

Thursday, July 8, 2021, 3:30 PM UTC

Chief Brackney mindset on eliminating good officers and looking ahead to her next job.

Answered: 58 Unanswered: 6

Q18 What does Command Staff do well to support you, your job, and the department?

Monday, July 26, 2021, 12:48 PM UTC

No support

Sunday, July 25, 2021, 6:14 PM UTC

We are well equipped in most areas.

Saturday, July 24, 2021, 7:29 AM UTC

Unknown. It seems the only time we hear about Command Staff is when they order a correction to something they think is wrong.

Friday, July 23, 2021, 10:30 PM UTC

Recently they've become more transparent with important decisions.

Also the Chiefs advisory board creation has had a positive impact on the current atmosphere

Friday, July 23, 2021, 6:01 PM UTC

Honestly, it does not appear they value or support the frontline officers.

Friday, July 23, 2021, 5:29 PM UTC

I am still trying to figure out what some of them even do. This is sad!! I am really not sure.

Friday, July 23, 2021, 5:22 PM UTC

N/a

Friday, July 23, 2021, 5:15 PM UTC

Command does very little, if anything to instill purpose, direction and leadership to the department. They are rarely heard from, and its most often negative when they are. There have been instances where they have flat out lied. If a mission statement changes, so be it, but don't tell people that they were never told something when they absolutely were. Every once in a while, Command will put on the "feel goods" and try to sway things back in a positive direction. But after some reflection and time for their statements to soak in, reason and common sense returns and it is quickly realized that a tactic was used, and real change isn't coming.

Friday, July 23, 2021, 5:10 PM UTC

Major Mooney continually praises officers.

He is the only command I've seen at roll call. There is nothing else positive to say about others.

Friday, July 23, 2021, 4:10 PM UTC

I believe they work hard behind the scenes to help us. They have been more present recently.

Tuesday, July 20, 2021, 9:32 PM UTC

Command staff doesn't do anything "well" to support officers, the job, or the department. Again, everybody has been beaten into submission by the Chief and regardless of what anybody in command would want, it's ultimately the chief's say. Unfortunately, the chief doesn't want to produce well rounded officers. She wants to produce those who fall in line with her views and don't create waves. Command often times looks like a bunch of abused children, because when they bring forth their own ideas, they are put into their place. The chief actually said "the more interactions we have with the public, the more of a chance that we will have a negative interaction." Who wants a chief that doesn't want us engaging with the public? What does that say about how SHE feels about the work we do? The only person in command that pretends to try is Major Jim Mooney, but my personal belief is that he has given up because he is just keeps beating his head against the wall known as Rashal Brackney. Joe Hatter, Steve Knick, and Tito Durrette have done absolutely nothing to further the officers of CPD.

Tuesday, July 20, 2021, 9:06 PM UTC

Nothing. I have not felt supported once in my time at CPD from command staff. There is a constant climate of fear within the department. It is a constantly daily fear of being written up or fired for minor violations. I don't feel like I could come to any members of command staff with an issue or concern. Luckily there are Sergeants that I feel comfortable confining in but you know they are just as concerned with command staff hanging over their heads. Command staff spends more time focusing on the errors of their officers and looking for punishment and less time looking at the positive policing they have within the community and rewarding that hard work.

Tuesday, July 20, 2021, 6:26 PM UTC

I can't think of anything

Tuesday, July 20, 2021, 12:29 PM UTC

Nothing. I feel that Major Mooney attempts to be supportive, but he cannot win against the Chief when she is the ultimate deciding factor.

Monday, July 19, 2021, 11:39 PM UTC

None

Monday, July 19, 2021, 11:23 PM UTC

First line supervisors as a whole at the department are excellent, even though we recently just lost two of the most loved supervisors for reasons that have not been made clear to us. Higher command does nothing to support us, in fact the opposite. I have been employed at CPD for over 3 years and I would bet my salary that the Chief does not know my name. Patrol Captain Hatter is one of the worst command staff I have ever worked for and I have been in 2 other departments and spent 8 years active duty Army. He shows absolutely no respect or loyalty to his men and in fact almost exudes disdain for us, in fact to quote him to a fellow officer in respect toward a question about the sad states of fleet vehicles.. "fuck them, fuck them all".

Monday, July 19, 2021, 2:08 AM UTC

I don't know

Saturday, July 17, 2021, 5:01 PM UTC

The PD a lot to protect them selves as the leader ship.

The officer do not feel protected by Command

Wednesday, July 14, 2021, 10:54 PM UTC

Nothing. Nothing at all. Only positive thing I can say is that I still receive a paycheck every two weeks.

Wednesday, July 14, 2021, 6:44 AM UTC

No. You sort of feel like you have a target on your back. Moral is at an all time low and this is not the place I originally applied to.

Monday, July 12, 2021, 8:48 PM UTC

They brought back the chief advisory board, but who knows where that information goes.

Monday, July 12, 2021, 4:33 PM UTC

Nothing. We could withstand the outside pressure of they supported us, but they are the most dangerous element in this whole equation.

Monday, July 12, 2021, 4:10 AM UTC

The Command Staff generally supports the department well with equipment purchases. The Command Staff are usually friendly and polite with officers in one-on-one interactions.

Sunday, July 11, 2021, 9:22 PM UTC

Every one of the Command Staff is out for themselves and their careers. They do no support us, my job or the department unless the outcome is going to make them look good or advance their career.

Sunday, July 11, 2021, 7:08 PM UTC

I gave this question some serious thought and couldn't come up with much.

They allow beards now

Sunday, July 11, 2021, 2:33 AM UTC

Not much. I have never worked with such a negative administration.

Saturday, July 10, 2021, 11:40 PM UTC

Yes, 100%

Saturday, July 10, 2021, 8:32 PM UTC

The commander of my division does an amazing job making sure we have what we need and makes us feel valued. But as a whole, that is not the case department wide.

Saturday, July 10, 2021, 3:32 PM UTC

Nothing.

Saturday, July 10, 2021, 3:20 PM UTC

Not much

Saturday, July 10, 2021, 4:23 AM UTC

Major Mooney seems to genuinely care about his officers. He is the only one.

Saturday, July 10, 2021, 1:33 AM UTC

Offer good training

Friday, July 9, 2021, 9:59 PM UTC

The Chief fights hard to limit CRB powers.

Friday, July 9, 2021, 9:08 PM UTC

They have a lot of meetings.

Friday, July 9, 2021, 8:58 PM UTC

Absolutely nothing. I recently left the CPD 7/4/21 for another department in another state. As soon as CPD command found out I was leaving, I was fighting under severe scrutiny of every action I took. Several times they wanted to violate me on policy and then were mad when I knew the policy better than they did and knew they couldn't write me up. They even went as far as to say they needed me to provide medical documentation that I was not a "liability". During my 8.5 years at CPD I have caught several command staff members violating policy or completely disregarding it as TJ see fit. I was even told at one point that "policy doesn't matter, because I'm changing it soon". Command doesn't know the first thing about leadership or leading this department. They are driving people away.

Friday, July 9, 2021, 8:52 PM UTC

Honestly I don't know.

Friday, July 9, 2021, 8:08 PM UTC

Nothing. It is almost always transactional. There is little to no communication with command staff and interactions are invariably punitive or threatening.

Friday, July 9, 2021, 6:49 PM UTC

Tell me the truth

Friday, July 9, 2021, 6:28 PM UTC

Command staff only cares about the political climate.

Friday, July 9, 2021, 4:54 PM UTC

At least up to the Lieutenant level, they're approachable and willing to talk through a problem to the best of their abilities, whether that's with the officer or the department as a whole. But I've never interacted with anyone of a higher rank. They don't seem to care about the patrol level.

Friday, July 9, 2021, 4:38 PM UTC

The command staff has recently allowed officers to grow beards, and have opened up the grooming policy to be more lenient.

Friday, July 9, 2021, 3:28 PM UTC

I still have a take home for now.

Friday, July 9, 2021, 3:24 PM UTC

Specific members of Command Staff want to help their officer's and try to provide them with opportunities where they are more capable in order to succeed in their duties.

Friday, July 9, 2021, 3:14 PM UTC

Nothing. At the end of the day, they will lookout for themselves first and foremost. They will not hesitate to throw officers under the bus and make officers examples, if it means protecting themselves.

Friday, July 9, 2021, 3:07 PM UTC

No. The chief is using us as a political platform and the rest of the command staff are scared to stand up for us.

Friday, July 9, 2021, 3:01 PM UTC

I can't think of a single thing.

Friday, July 9, 2021, 2:56 PM UTC

They say nice things to your face. They believe the department is better than it is. Or at least they say so.

Friday, July 9, 2021, 2:52 PM UTC

They let us wear comfortable uniforms. That's about it. But I am thankful for that.

Friday, July 9, 2021, 2:37 PM UTC

Depends on the day and what's at risk.

Friday, July 9, 2021, 2:28 PM UTC

N/A

Friday, July 9, 2021, 2:22 PM UTC

N/A

Friday, July 9, 2021, 2:21 PM UTC

Honestly, I can't think of anything Command Staff does well for the department other than miscommunicating information to fit their narrative.

Friday, July 9, 2021, 2:15 PM UTC

I can't think of one single thing

Thursday, July 8, 2021, 3:30 PM UTC

nothing

Answered: 54 **Unanswered:** 10

Q19 What could Command Staff to better to support you, your job, and the department?

Saturday, July 31, 2021, 8:26 AM UTC

Better communication of what the goals of the department as a whole should be going forward.

Monday, July 26, 2021, 12:48 PM UTC

Vote the chief and command staff out and replace them with quality, qualified leaders that want the best for the community as well as the officers and who are willing to provide what is need to the officers so they can provide that service.

Sunday, July 25, 2021, 6:14 PM UTC

Need more assurance of commitment to the organization, it's personnel, and mission. Fix what is broken, reaffirm what works well, and vigorously defend what is good and true. I miss being a cop. Stop drowning us in paperwork.

Saturday, July 24, 2021, 7:29 AM UTC

Better communication about what decisions they are making. Reduce the administrative red tape and paperwork Patrol Officers have to do so doing actual police work is easier and fun.

Friday, July 23, 2021, 10:30 PM UTC

Be realistic about the current challenges facing the department.
Be transparent on the reason behind the constant role changes of supervisors

Friday, July 23, 2021, 6:01 PM UTC

Hold themselves accountable just like they do officers
Address why officers continue to leave the agency
Implement a career development program
Provide a flexible schedule so I can have regular time off on the weekends.

Friday, July 23, 2021, 5:29 PM UTC

Let the Sgt's be out in the field with their troops. Stop constantly criticizing people's videos... guide more...

Friday, July 23, 2021, 5:22 PM UTC

N/A

Friday, July 23, 2021, 5:15 PM UTC

Command could learn to tell someone other than Officers "No." While this would make life difficult for them for a while, our community has unrealistic expectations of its Police has no clue how good they have it. Command is quick to dismiss the needs and concerns of Officers by saying "No," but will work till the ends of the world to satisfy unrealistic requests from the community.

Friday, July 23, 2021, 5:10 PM UTC

Verbally and publicly defend the department

Treat us like adult and not some racist Superman who thinks we are all bad.

Friday, July 23, 2021, 4:10 PM UTC

We need more training opportunities and for the discipline structure to be revamped

Tuesday, July 20, 2021, 9:32 PM UTC

Command staff could give clear direction as to what they expect from officers. Do they want officers to be proactive? Do they want them to sit in parking lots? Do they want them to try to find guns and drugs and wanted individuals? Nobody knows, because god forbid they actually lead. Coming to roll calls and providing direction would be a welcomed change. Praising officers for the good they are doing and not immediately firing those who make mistakes would also be a good start. Basic leadership - lead from the front, be a positive change, encourage your officers, welcome new ideas and take grievances seriously. Promote leaders and not sheep. Basic leadership.

In short, Command could make it easy by resigning and putting people into place that have real leadership qualities and are out to better the department and not just their bank accounts.

Tuesday, July 20, 2021, 9:06 PM UTC

Honestly command staff has created such a climate of fear I'm not sure what can be done other than internal changes in leadership. I would love to see the captains and major take a stand for what they believe is right and wrong against the chief. The major is the only person you ever see talking about the good work our officers do. You can tell he has our best interest at heart. However, I've seen other members of command have made their alliance with supporting the chief over their officers extremely evident. There is a constant state of fear of retaliation for speaking out against the chief's decisions. The chief has no one to hold her accountable. It's her way or the highway. If you do not fall in line, you can count your career success finished. You cannot defend or stand up for yourself without fear of repercussion. Officers live in a state of fear of discipline. This has negatively impacted officers mental health. It would just be nice to see some consistency within command staff for discipline, support, and their own policing of their officers.

Tuesday, July 20, 2021, 6:26 PM UTC

Stop looking at our bodycams for things to get us in trouble. Actually try to help, by getting us things that surrounding agencies have such as, more pay, take home vehicles, and career development.

Tuesday, July 20, 2021, 12:29 PM UTC

The chief needs to go and there needs to be a reckoning of the captains that are all too happy to be yes men instead having the fortitude to stand up and say that things are out of hand.

Monday, July 19, 2021, 11:39 PM UTC

Remember they were cops on the street too. Stand up for the troops.

Monday, July 19, 2021, 11:23 PM UTC

We feel so unsupported that if the command staff just told us they support us instead of as the Chief put it.. we are basically all just racist and we go hand-in-hand with the Klan. It wouldn't take much aside from focusing on the most petty issues such as how many items we have on our vest, but concentrate on getting us more help and better vehicles and equipment. We have very outdated laptops in our cars and no sign of that getting updated due to money concerns, but we have once slightly concerning issue about our bodycams and all of a sudden there is all this money out of nowhere to update them.

Monday, July 19, 2021, 2:08 AM UTC

Give use the training we request and the tools to do our jobs. We have 40 less then lethal shot guns and everyone on patrol training but non issued.

Saturday, July 17, 2021, 5:01 PM UTC

Care more about the officers than themselves, and what the City council thinks

Friday, July 16, 2021, 2:25 AM UTC

Implement realistic policies and procedures.

Expand the parameters of our training. Deescalation training is relevant but no substitute for core training.

Wednesday, July 14, 2021, 10:54 PM UTC

All of them quit and we start from scratch with a new command staff with a fresh, positive mindset. I believe a new command staff would heal old wounds and bring a better trust between command and officers. We need a command staff that is willing to put the officers best interest first and not their own. We need true leadership in this new era of policing that is here.

Wednesday, July 14, 2021, 6:44 AM UTC

I don't know things seem pretty broken I'm not sure this can be fixed.

Monday, July 12, 2021, 8:48 PM UTC

Better communication from the top down.

Monday, July 12, 2021, 4:33 PM UTC

Brackney and Mooney could quit or be fired. Hatter and Durette could take their retirements. The entire command staff needs to be completely overhauled. They also need to publicly apologize and withdraw Jaeger's, Wood's, Oberholzer's, and Hudson's terminations, and invite Godfrey back to work.

Monday, July 12, 2021, 4:10 AM UTC

The Command Staff should improve training for officers rather than focusing on minor issues like uniform policy violations.

Command Staff should be required to work patrol shifts on a regular basis. They often seem out of touch with the actual day-to-day work that is done around the department.

The Command Staff should encourage officers to be more proactive.

The Command Staff should publicly support officers if they receive a complaint that is clearly false.

The Command Staff should get rid of training contracts or make the threshold significantly higher than it is now.

The Command Staff should stop holding "all-hands" meetings. Previous chiefs would go to 3-5 roll calls for meetings involving the entire department, instead of requiring officers to come in on their days off. This was much more considerate to officers' personal time and sleep schedules.

Sunday, July 11, 2021, 9:22 PM UTC

At this point the Command Staff needs to be dissolved and new leadership needs to be brought in to try to rectify all of this. The Command Staff has taken things too far and trying to regain the respect of the officers and staff at CPD is going to be impossible. There are officers who have tried to talk to the higher uppers about the tone and their actions, which has fallen on deaf ears. This makes me believe that the Command Staff is not willing to hear any type of criticism. It is evident that any constructive criticism/ suggestions on how to make things better is only used to target those individuals who have the courage to speak up.

Sunday, July 11, 2021, 7:08 PM UTC

Remember where they come from and not cave into the 10 bleeding hearts that are nut jobs

Sunday, July 11, 2021, 2:33 AM UTC

Stop trying to satisfy the negative public. Let cops be cops and make this department real again.

Saturday, July 10, 2021, 8:32 PM UTC

First and foremost, make us feel valued. A lot of have stayed when we certainly could have left. They should talk to us, not at us.

Saturday, July 10, 2021, 3:32 PM UTC

Pay us a living wage for Charlottesville. Give us functional equipment, let us do proactive police work, bring back Jade or at least some squads. Stop firing people. Stop making the department a political tool.

Saturday, July 10, 2021, 3:29 PM UTC

Be more transparent, support officers at the patrol level, improve/update policy

Saturday, July 10, 2021, 3:20 PM UTC

Stop firing good officers without explanation. Create multiple units to help combat gang violence, drugs, and guns.

Saturday, July 10, 2021, 4:23 AM UTC

Be involved. Ask questions and be prepared for the answer and look to improve rather than rebut. Work with the city to find ways to implement a pay scale. Stop with all the red tape at every part of our jobs. Revise policies that only look to complicate and already complicated profession.

Saturday, July 10, 2021, 1:33 AM UTC

Unknown right now

Friday, July 9, 2021, 9:59 PM UTC

More engagement with patrol division. Be more open to feedback and not take it personally. It helps when the Major, Chief and Captains engage us and interact with us like we are equal; Command should make an effort to get to know officers and not just look at us as a badge number. Command should get out in the streets more and refresh themselves with modern day LE

Friday, July 9, 2021, 9:08 PM UTC

They could stand up to these criminals and everyone else in the community who doesn't have the community's best interest in mind. They could also have officers backs when these people decide to complain about things that aren't even true most of the time. They could also take constructive criticism as mature adults instead of treating it as a personal attack on them.

Friday, July 9, 2021, 8:58 PM UTC

Abdicate. Leave. No one trusts them and nothing can be done to change that now.

Friday, July 9, 2021, 8:52 PM UTC

Honest communication, be present, give direction and end petty behavior such as taking the ability to eat in roll call.

Friday, July 9, 2021, 8:08 PM UTC

Resign. The current command staff has willfully participated in unethical and abusive behaviors which make them unfit to be in law enforcement, let alone leadership positions.

Friday, July 9, 2021, 6:49 PM UTC

Pay me mire

Friday, July 9, 2021, 6:28 PM UTC

Listen to officer concerns, promote drug interdiction and training, allow there to be a swat team

Friday, July 9, 2021, 4:54 PM UTC

Interact with us, and in a way that doesn't lead to us getting written up. Also discipline consistently, not solely based on who Command doesn't like that week.

Friday, July 9, 2021, 4:38 PM UTC

Outside of the grooming policy changes the command staff has done nothing but instill fear in the minds of every officer working in the department.

The command staff could do a better job of being open to criticism and actually taking the criticism seriously instead of simply brushing it off. Or instead of being so terrified of the chief that they do nothing with the criticism. The major himself has told me that he cannot change the chiefs mind on anything, and once she has made a decision there is nothing anyone can do. This type of behavior has done nothing but create a culture where everyone has simply given up and no longer fights for the officer. The front line officers have been completely forgotten, and they feel like they have no one in their corner defending them. Command staff needs to remember that the front line officers are the most important officers in the department as they are the first ones anyone sees when they call the police.

Command staff needs to begin investing in their people and encouraging them to be the best they can be instead of leading through fear and intimidation.

Instead of routinely making examples of good cops and good supervisors they need to begin to attempt to rebuild trust with these officers and find out how and why they have become so disgruntled instead of disciplining them and firing them for speaking negatively of the command.

Friday, July 9, 2021, 3:28 PM UTC

Allow for training outside of poorly conducted online training or another deescalation from none LEO. Handle policy violations based on the action and not based on the officer. Not saying one thing and then taking action opposite of that. Back officers publicly for well conducted police work. Allow for an environment that is conducive to proactive police work that the community is requesting. Allow for the continued supervision and training to refine new officers past FTO period without allowing it to get to a point of job failure due to poor training.

Friday, July 9, 2021, 3:24 PM UTC

Seek grants. Implement a training program where specific and necessary training is provided on a regular basis. Not disregard opportunities, ideas, or training based on what City Council might say.

Friday, July 9, 2021, 3:14 PM UTC

Promote proactive policing, provide better training opportunities and listen to officer feedback and concerns.

Friday, July 9, 2021, 3:07 PM UTC

Care about policing and actually want to make Charlottesville a safer place to live. All they do is play into the political atmosphere of the city in order to cover their own butts. We've been told in the past to stop patrolling some high drug/crime area so much because an activists complain.

Friday, July 9, 2021, 3:01 PM UTC

Care about its officers. Not just try to screw them and look to fire them over petty bullshit. Stand up and take ownership for problems. Give the officers a second chance when they make mistakes. Sgt.'s have to review all bwc footage and write people up instead of either being on calls to help and guide them as a first line supervisor or if they find issues use them as a training tool not just to put pen to paper.

Friday, July 9, 2021, 2:56 PM UTC

Realize the modern officer, the modern climate, and Charlottesville PD is the laughing stock of the state. We need to have a better schedule. Better pay, and more faith that the command staff truly wants to retain us. Rather than replace us.

Friday, July 9, 2021, 2:52 PM UTC

Live a week in the patrol officers shoes. They have become so disconnected from patrol level life they have no idea how the policy changes they make affect our job. I recently asked in roll call how I am supposed to arrest someone without violating a policy and my Lt. said "well, I don't know and I don't care. I don't do that anymore good luck."

Friday, July 9, 2021, 2:37 PM UTC

Leave their personal agendas at home

Friday, July 9, 2021, 2:28 PM UTC

Everything

Friday, July 9, 2021, 2:22 PM UTC

Lead from the front, receive insight from their officers, build rapport with officers, establish fair policies that don't discourage police work.

Friday, July 9, 2021, 2:21 PM UTC

- 1) Stop playing both sides of the agenda.
 - 2) Be direct with officers
 - 3) Attempt to increase moral within the department versus telling officers it's only going to get worse.
 - 4) Support officers discretion on calls versus critiquing them because they did it differently than you would have.
 - 5) If an officer makes a mistake, start with verbally explaining to them what and why there's and investigation instead of a suspension without any explanation.
-

Friday, July 9, 2021, 2:15 PM UTC

Encourage us to perform our duties in correlation with the law rather than political views

Incorporate specialized units to help reduce drug and gun violence

Focus on retention. This department is constantly losing good officers and it seems like they don't even care.

Thursday, July 8, 2021, 3:30 PM UTC

Care... even just a little.

Answered: 56 **Unanswered:** 8

Q20 Other comments.

Sunday, July 25, 2021, 6:14 PM UTC

Rediscover our backbone, ensure the public trust, uphold the law.

Saturday, July 24, 2021, 7:29 AM UTC

Command Staff appears to not work as a team. The Chief seems unable to accept criticism or ideas not aligned with her own. In the past few years every meeting I've personally been in where the Chief was present always ends with her yelling, which discourages feedback from anybody but yes-men. I have also heard second hand that the Chief does this at just about every meeting.

First line supervisors need to be observing their Officers in the field. They are being drowned in administrative duties and are forced to lead from behind a computer screen watching camera video. Job satisfaction is falling quickly because of the perceived lack of support from the public and politicians, the revolving door justice system which apparently refuses to keep criminals in jail, and generally being underpaid.

Friday, July 23, 2021, 5:29 PM UTC

This use to be the department everyone wanted to come to but now we get recruits but lose them to other agencies because they either support more or have a better offer.

We are to heavy up top, we need more in the field.

Friday, July 23, 2021, 5:15 PM UTC

The Charlottesville Police Department, simply put, is lost. I used to come to work with purpose and vision; to fight crime and help the citizens of this community. Crime fighting is gone, proactive police work is dead, and Officers come to work with no drive and no sense of purpose. CPD routinely judges other agencies by their actions while in reality CPD is the agency that is floundering. Things like they will feel our hurt, or change is coming for them, is said. While this may be true, CPD doesn't need to be the pioneer that ushers in a new age of policing that isn't sustainable or realistic. Crime is crime and it has to be deal with. No amount of head turning will make it go away. CPD prides itself on being on the cutting edge of activism but in reality these efforts only hurt. Violent crime is skyrocketing and most Officers on the street don't have the skills or the knowledge to address these issues. We simply deal with calls as they come in. We are truly a reactive police department. Negativity is rampant, and this is largely to blame as a result of idle hands. Officers that only chase the radio have opportunity to stew, and this breeds discontent. Active Officers are simply put too busy to bitch and moan. This agency doesn't need a new Police Chief, it needs an entirely new Command staff. And after that it needs a focus, any focus. It is my hope that the department focuses on police work and keeping citizens safe.

Friday, July 23, 2021, 5:10 PM UTC

The city will never be competitive with other jurisdictions. The least they could do it make the officers who are still with them feel appreciated and not belittled. Charles Bronson with Virgin Mobil says. "Train your employees so they can go anywhere. Treat them so they don't want to." They have failed at the later.

Friday, July 23, 2021, 4:10 PM UTC

Take home cars and career development would be nice.

Tuesday, July 20, 2021, 9:32 PM UTC

I hope that this survey is taken seriously unlike the climate survey that was completed and went to the wayside, apparently at the direction of Rashal Brackney. The climate and culture at CPD is currently dismal at best. Officers are scared, discouraged, feel unsupported, and are largely unmotivated. Anybody who is smart is looking elsewhere. Anybody who isn't is simply stuck. Anybody who is blessed has found alternate employment. This department continues to lose officers at what are probably record numbers, leaving the department understaffed and Charlottesville less protected. Even some on command staff are themselves "counting down the days" until retirement. Sgt's and Lt.'s are actively searching for other jobs and Rashal Brackney is at the very center of it. Until she leaves and the vast majority of command follows, this department will continue to fall into ruin. She has taken CPD out of JADE. She dismantled our Forensic Tech unit (previously widely renowned throughout the state), and she has all but destroyed our relationships with local law enforcement and VSP. In short, she and command have done little, if anything, to better this department and city. If she feels otherwise she can look at the statistics.

One of the best days of my life was being sworn in as a CPD officer. Looking back, it now stands out as one of the worst decisions that I've ever made and it's truly ruined my outlook on law enforcement as a career.

Tuesday, July 20, 2021, 9:06 PM UTC

When I took this job in law enforcement, I couldn't have been more proud to call myself a police officer in the city of Charlottesville. I was eager to learn, keep the city safe, and grow within the department. However, it has become evident over the years that if you make mistakes, no matter how small, you will be punished. If you speak out against the chief because you do not agree and don't fall in line with her, you will be punished. You come into work each day in fear of messing up. There is the constant fear being called into a captains office. The chief has created such a climate of fear within her department that I have more fear of being fired or punished for not handling my calls the way command wants them over losing my life in the line of duty.

Tuesday, July 20, 2021, 12:29 PM UTC

I feel that the hostile work environment created by some in command staff and the complacency of others in command has spiraled out of control. The only time we hear from the chief is when she is berating, disrespectful and threatening in her mannerisms and tone. We are all too afraid to lose our jobs, that we don't feel we can stand up against her and fight because the retaliation will be too great a cost. The stress and anxiety have caused me to lose sleep, hair, appetite and so many other problems. I have had inadequate bosses before, but I have never worked for a more morally corrupt human.

The blatant favoritism that abounds in this department is unsettling. There are some of us who are doing multiple people's jobs while the chief refuses to hire for those positions (IE the IT job that should have been filled well over a year ago). A sergeant can assault an officer and retain his job after this being the second time in his career that he has done so, but she fires people and attacks them for reasons she makes up in her head.

Monday, July 19, 2021, 11:39 PM UTC

Policies and Promotions are not applied equally due to nepotism

Monday, July 19, 2021, 11:23 PM UTC

CPD needs to unionize. I feel this is an almost unanimous sentiment in the patrol division. We would overwhelmingly vote in favor of this and the PBA can help begin this process

Saturday, July 17, 2021, 5:01 PM UTC

Bias of the Chief of Police.

Wednesday, July 14, 2021, 10:54 PM UTC

Charlottesville pd needs a savior and I believe part of that would begin with what we can control, which is command staff within the department. Also Hatter's ego is too big to fit in the building, which is causing major problems within the patrol division itself. They all have to go but it would be nice to start with him for the sake of the department's backbone, patrol (we've had many officers leave or transfer bureaus just because of him).

Wednesday, July 14, 2021, 6:44 AM UTC

It's bad.

Monday, July 12, 2021, 4:33 PM UTC

Brackney and Mooney have to go. Simple as that. They are the destruction of the department.

Sunday, July 11, 2021, 9:22 PM UTC

Here are other areas of concern that I have:

- When I first came to this police department, this job was a calling. Protecting the good citizens of this city, putting away the bad people was what this job was all about. Recently I have not been doing my regular duties as it has been made clear that the higher uppers do not have our back.
- I was planning on being in this career until I was forced out due to age, however I have no desire to be here any longer than I need to be. I am looking to leave as soon as I can retire, not wanting to continue my career in law enforcement anywhere else.
- Chief Brackney's words have been very hurtful and disrespectful, using language such as calling us racist, sexist and misogynistic in a required departmental wide meeting that was recorded (according to Chief Brackney).
- An email came out months ago ordering patrol to no longer investigate drug cases, to send them directly to Investigations. This is counterproductive as our patrol officers have a better relationship with community members and can handle these types of cases more efficiently. This is just another example of making officers feel like they cannot do the job they were hired to do, protect the community.
- Crime in the city of Charlottesville has escalated dramatically over the past year and a half. Chief Brackney is not vested in this city, doesn't live in this city and has no ties here. She can walk away at any time, moving on to her next career and have no lasting effects of this. Meanwhile, the rest of us who cannot leave our jobs are going to have to clean up this mess.
- I have concerns about the Command Staff seeing the results of this survey, as they will retaliate due to the not favorable nature of my comments. While I know that the Command Staff will need to hear the results of this survey, I hope you all keep in mind that there could be some retaliation on the inside.

Saturday, July 10, 2021, 3:20 PM UTC

None

Friday, July 9, 2021, 9:08 PM UTC

Nope.

Friday, July 9, 2021, 8:58 PM UTC

Refer to my previous comments.

Friday, July 9, 2021, 8:52 PM UTC

The quickness to write someone up with no warning or conversation should end. We have gotten away from leaders having subordinates backs and having "man to man" conversations. This has created an environment of fear throughout the department. We have officers who have committed actual crimes against other officers, yet remain employed with a slap on the wrist. While other good leaders are severely reprimanded/fired.

Command staff has created a terrible working relationship with other jurisdictions such as ACPD and VSP. Removing things like JADE has negatively impacted the city as a whole. We can see this in the increase in shootings we're having.

Friday, July 9, 2021, 8:08 PM UTC

The current command staff, and particularly the chief of police, are widely viewed as self-serving individuals. The chief of police is widely viewed as untruthful - which is particularly alarming and a potential Brady issue.

Friday, July 9, 2021, 4:38 PM UTC

The command staff has been routinely twisting facts and policies to fit their own needs far too often. Until they begin to actually listen to officers and abide by their own rules and policies the department will continue this trajectory of a downward spiral. Leading through fear and intimidation for the last three years has done nothing but cause the department to lose numerous good officers, and ruin the lives of some officers simply for being disgruntled and unhappy with the direction the department is headed. These officers have attempted to speak about how the department could be made better, but their suggestions have always been routinely dismissed which led to them becoming more and more disgruntled.

The motto of CPD for the last three years among the officers has become "the beatings will continue until morale improves". Well the beatings have continued and morale continues to drop it is TIME FOR A CHANGE. Command staff often threatens that "The DOJ will come in and have to run this department if this continues". Well at this point the DOJ cannot cause morale to go any lower and maybe that isn't such a bad idea.

Friday, July 9, 2021, 3:28 PM UTC

The community is receptive of their officers. If the department could fix the internal issues and worked to improve relationships with outside agencies recruiting and retention would improve. CRB keeps getting filled with local anti-LEO activist and isn't controlled in any way by PD so....not sure how they gets any better.

Friday, July 9, 2021, 3:24 PM UTC

N/A

Friday, July 9, 2021, 3:07 PM UTC

I have worked at CPD for five years now and I have never seen moral so low. People are leaving left and right and applying other places. The only thing command staff cares about is their way or the highway. The city is becoming more violent and with this command staff and the way they are leading this organization, it's going to only get much worse.

Friday, July 9, 2021, 3:01 PM UTC

This department is a dumpster fire. Morale is shit. The chief and her command staff have no morals or ethics and are only looking out for themselves and worried about their retirement. We have a bunch if yes men in Lt., Captain and major positions.

Friday, July 9, 2021, 2:37 PM UTC

To quote a retiring Portland Oregon Detective which best describes the current situation at CPD. The only difference between CPD and the Titanic? "Deck chairs and a band."

Answered: 27 **Unanswered:** 37

EXHIBIT N

From: Michael Wells
Sent: Wednesday, August 11, 2021 10:06 PM
To: Hill, Heather
Subject: PBA Meeting

WARNING: This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Hill,

Thank you for your reply and interest in meeting with me. I look forward to sharing what I have learned about conditions at the CPD.

My email is: mwells@sspba.org

My cell phone number is: 540-241-1590

Thank you.

Mike Wells

From: Michael Wells
Sent: Friday, August 20, 2021 12:58 AM
To: Hill, Heather
Subject: Re: PBA Meeting

WARNING: This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Hill,

I wanted to circle back with you regarding meeting with you. Please let me know your availability and if this is something you are still interested in doing.

Mike Wells

On August 11, 2021 10:06 PM Michael Wells <mwells@sspba.org> wrote:

Ms. Hill,

Thank you for your reply and interest in meeting with me. I look forward to sharing what I have learned about conditions at the CPD.

My email is: mwells@sspba.org

My cell phone number is: 540-241-1590

Thank you.

Mike Wells

From: Hill, Heather
Sent: Saturday, August 21, 2021 8:10 PM
To: Michael Wells
Subject: Re: PBA Meeting

Mr. Wells,

Sincere apologies for the delay as I have been processing a lot of the information shared on multiple fronts as well as was traveling the back half of this week. I am back in town and happy to connect via phone or in person. Let me know what days/times of day may be best for you. I can carve out time for a phone call tomorrow if you would like to speak sooner rather than later.

Sincerely,
Heather Hill

Heather D. Hill | Councilor, City of Charlottesville | hhill@charlottesville.gov

From: Michael Wells <mwells@sspba.org>
Sent: Friday, August 20, 2021 12:58 AM
To: Hill, Heather <hhill@charlottesville.gov>
Subject: Re: PBA Meeting

WARNING: This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Hill,

I wanted to circle back with you regarding meeting with you. Please let me know your availability and if this is something you are still interested in doing.

Mike Wells

On August 11, 2021 10:06 PM Michael Wells <mwells@sspba.org> wrote:

Ms. Hill,

Thank you for your reply and interest in meeting with me. I look forward to sharing what I have learned about conditions at the CPD.

My email is: mwells@sspba.org

My cell phone number is: 540-241-1590

Thank you.

Mike Wells

From: Michael Wells
Sent: Sunday, August 22, 2021 1:10 PM
To: Hill, Heather
Subject: Re: PBA Meeting
Attachments: CITY SURVEY FINAL W LAYOUT.pdf

WARNING: This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Hill,

Do you have any time between 8:30 am until 12:00 noon on Monday or Tuesday? I could do in person, virtual, or over the phone.

Thank you.

Mike

PS.

I have attached our complete survey for your review.

On Aug 21, 2021, at 8:09 PM, Hill, Heather <hhill@charlottesville.gov> wrote:

Mr. Wells,

Sincere apologies for the delay as I have been processing a lot of the information shared on multiple fronts as well as was traveling the back half of this week. I am back in town and happy to connect via phone or in person. Let me know what days/times of day may be best for you. I can carve out time for a phone call tomorrow if you would like to speak sooner rather than later.

Sincerely,
Heather Hill

Heather D. Hill | Councilor, City of Charlottesville | hhill@charlottesville.gov

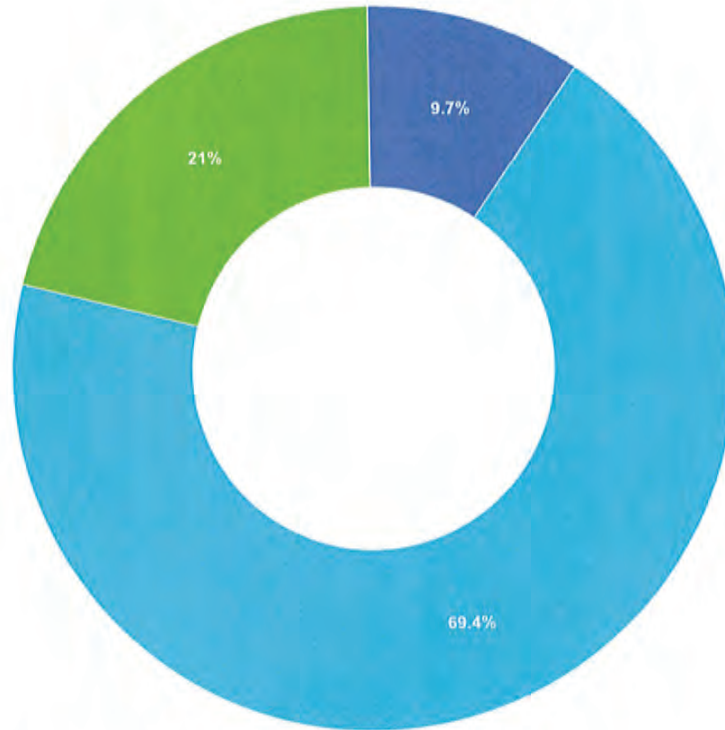
From: Michael Wells <mwells@sspba.org>
Sent: Friday, August 20, 2021 12:58 AM



Charlottesville Police Survey

Please answer the following questions as honestly as possible. The term "Command Staff" refers to the Chief of Police, Major, and Captains. The term "PCRB" refers to the Police Civilian Review Board.

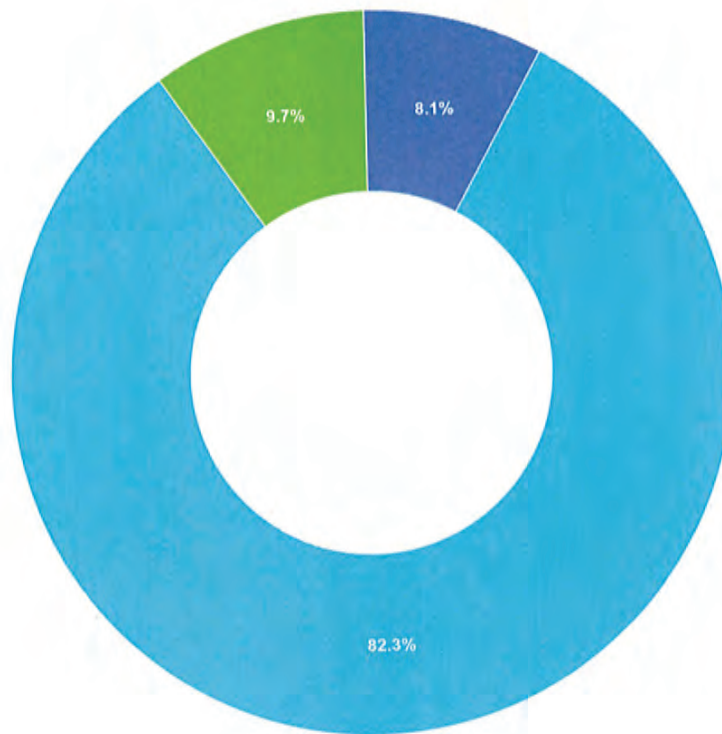
Q1 Considering the current national concern about increasing crime and the scrutiny of policing policies and procedures, do you feel the current Chief of Police has the ability to lead the CPD into this new era?



Answered: 62 Unanswered: 2

Choice	Total
☐ Yes	6
☐ No	43
☐ Undecided	13

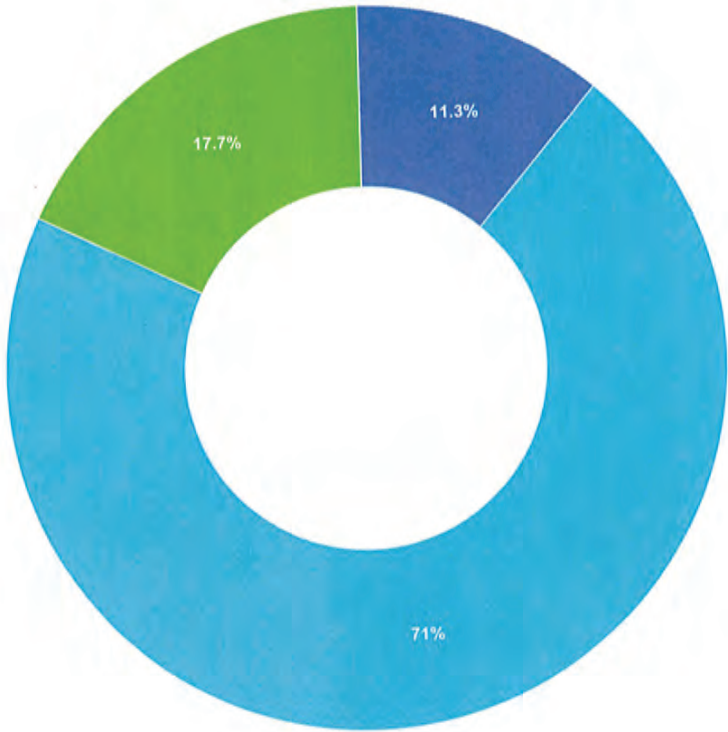
Q2 If you are accused of violating policy, do you believe you will receive a fair administrative process?



Answered: 62 Unanswered: 2

Choice	Total
● Yes	5
● No	51
● Undecided	6

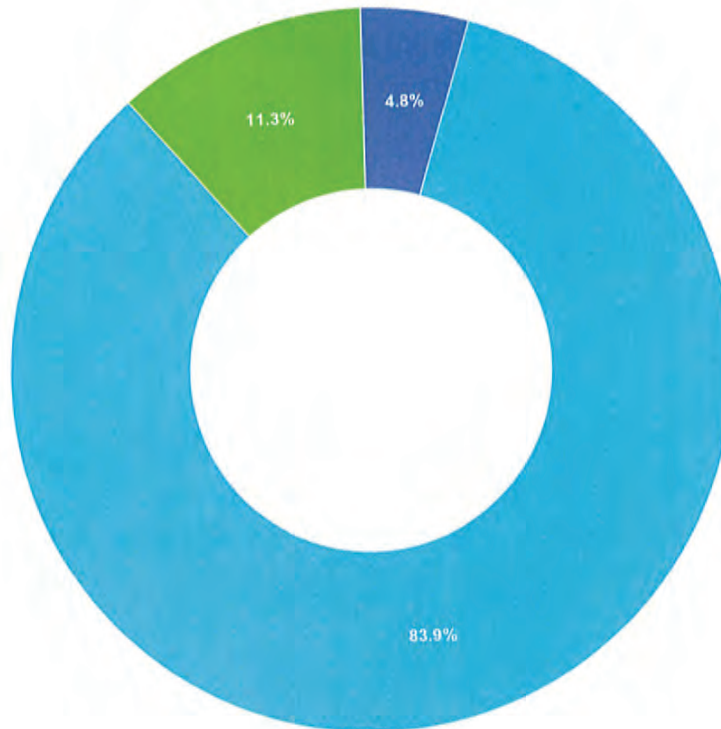
Q3 Do you believe a well-run PCRB, working in concert with internal affairs, would improve the current administrative process?



Answered: 62 Unanswered: 2

Choice		Total
	Yes	7
	No	44
	Undecided	11

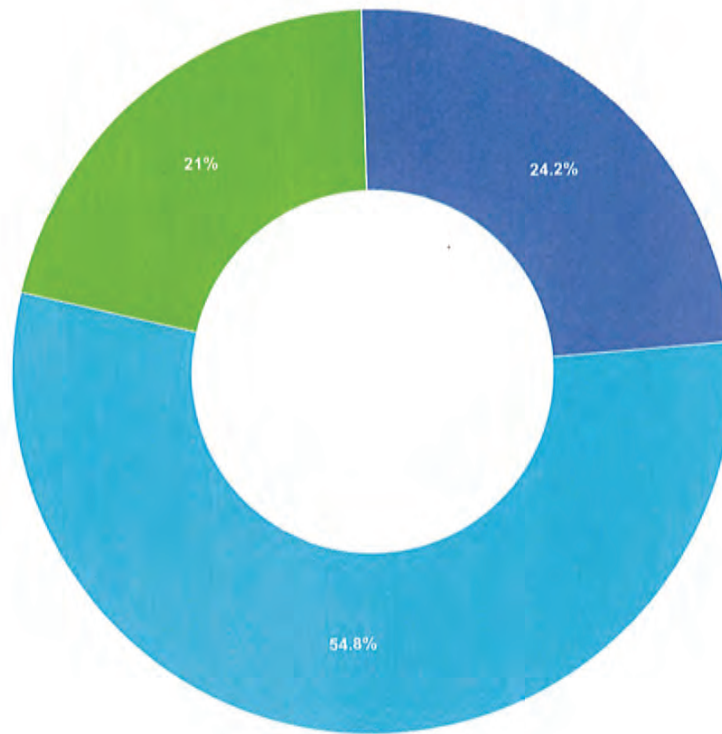
Q4 Is a strong PCRB with binding discipline, independent investigative authority, and subpoena power a good alternative to the current administrative process?



Answered: 62 Unanswered: 2

Choice		Total
	Yes	3
	No	52
	Undecided	7

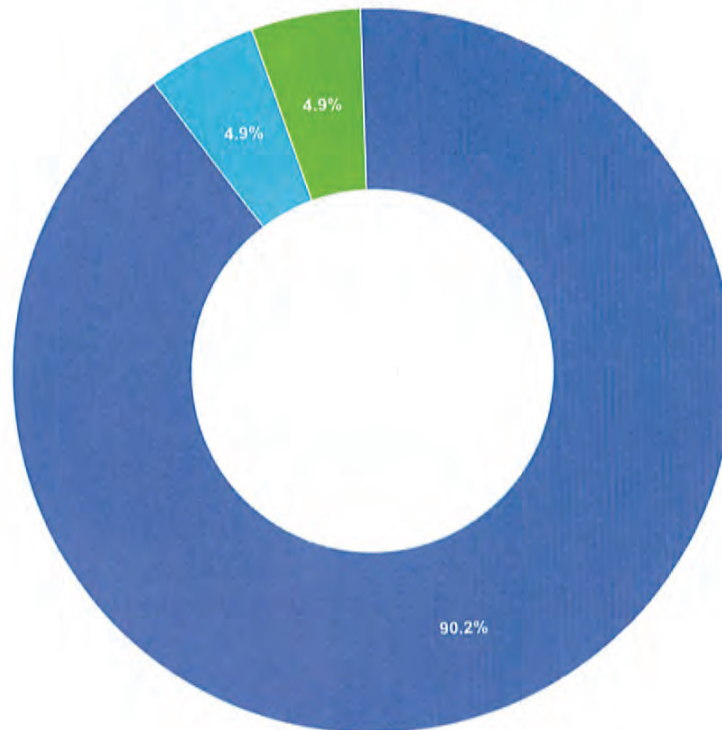
Q5 Do you believe your actions during an arrest will be honestly reviewed by the current Command Staff?



Answered: 62 Unanswered: 2

Choice		Total
	Yes	15
	No	34
	Undecided	13

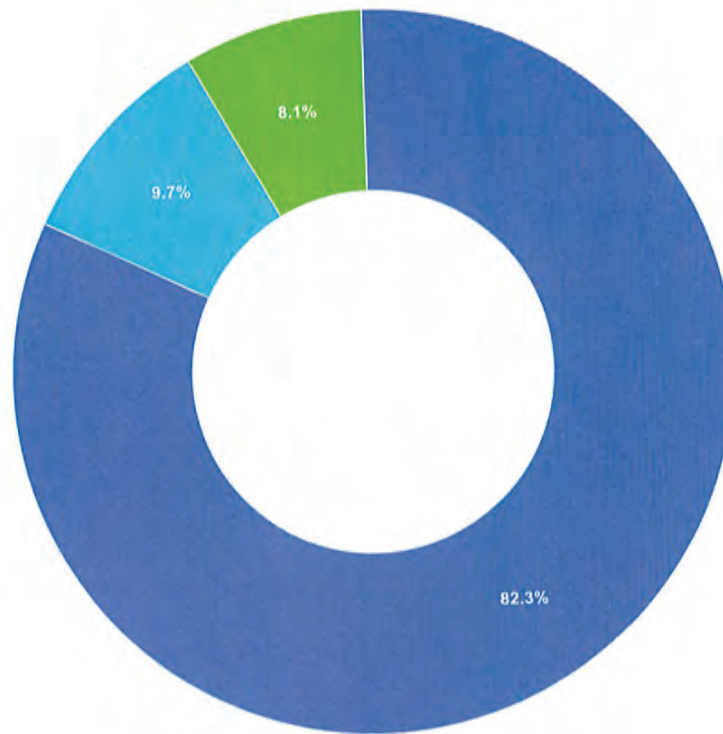
Q6 Has the current political climate in the city caused you to reduce your normal policing activities (traffic stops, arrests, community policing, etc.) for fear of being targeted by community groups?



Answered: 61 Unanswered: 3

Choice		Total
	Yes	55
	No	3
	Undecided	3

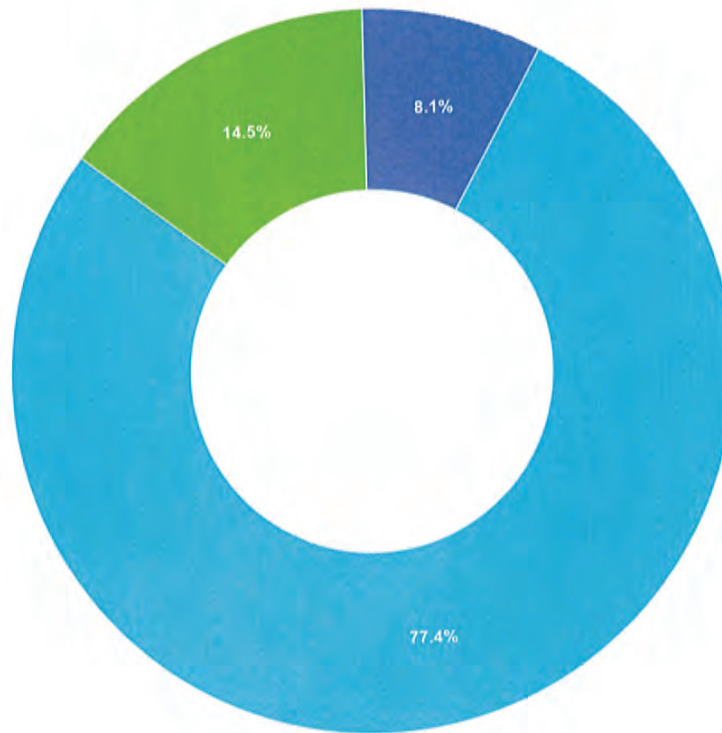
Q7 Have the actions of the Command Staff caused you to reduce your normal policing activities (traffic stops, arrests, community policing, etc.) for fear of being unfairly targeted by CPD leadership?



Answered: 62 Unanswered: 2

Choice	Total
Yes	51
No	6
Undecided	5

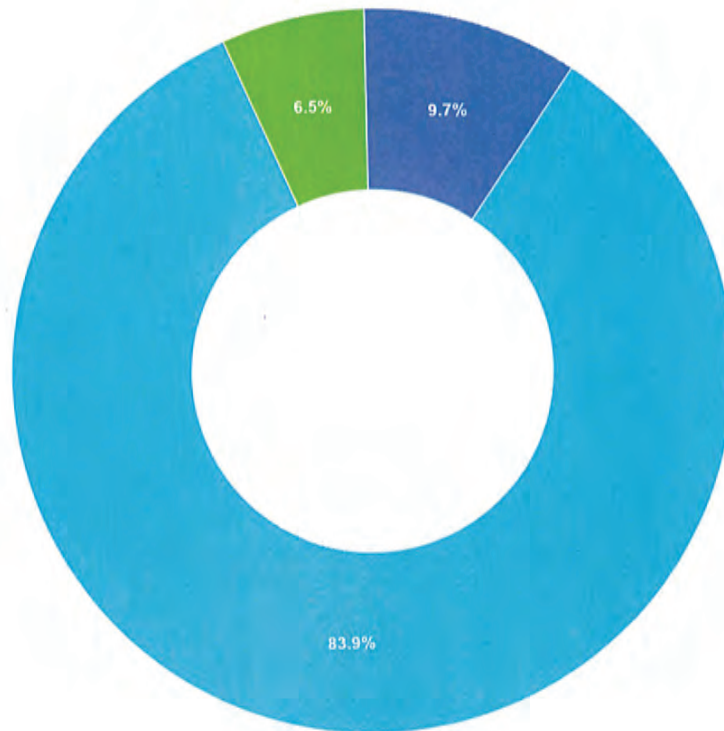
Q8 Do you believe the Command Staff are strong leaders and have the best interests of officers in mind?



Answered: 62 Unanswered: 2

Choice		Total
☐	Yes	5
☐	No	48
☐	Undecided	9

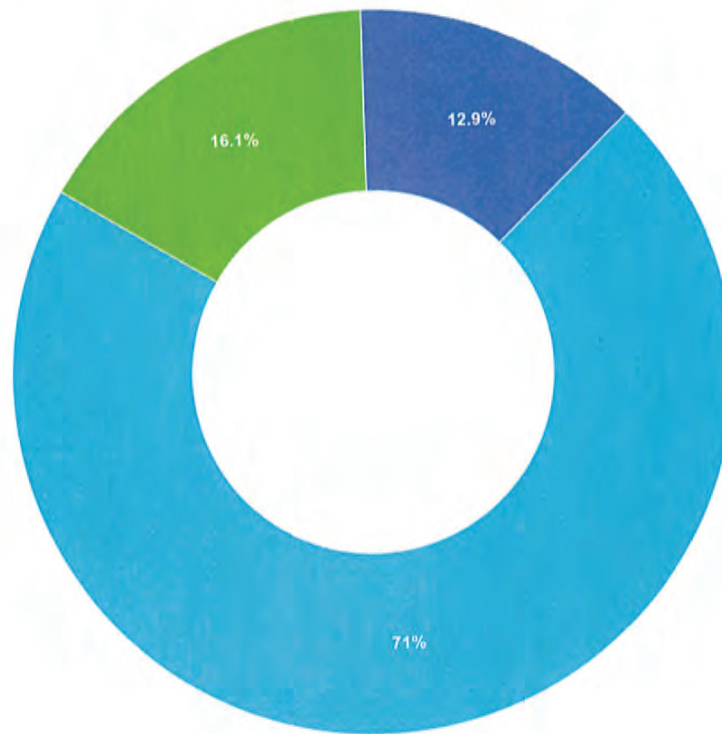
Q9 Do you believe the Chief of Police has the best interests of the CPD in mind?



Answered: 62 Unanswered: 2

Choice	Total
Yes	6
No	52
Undecided	4

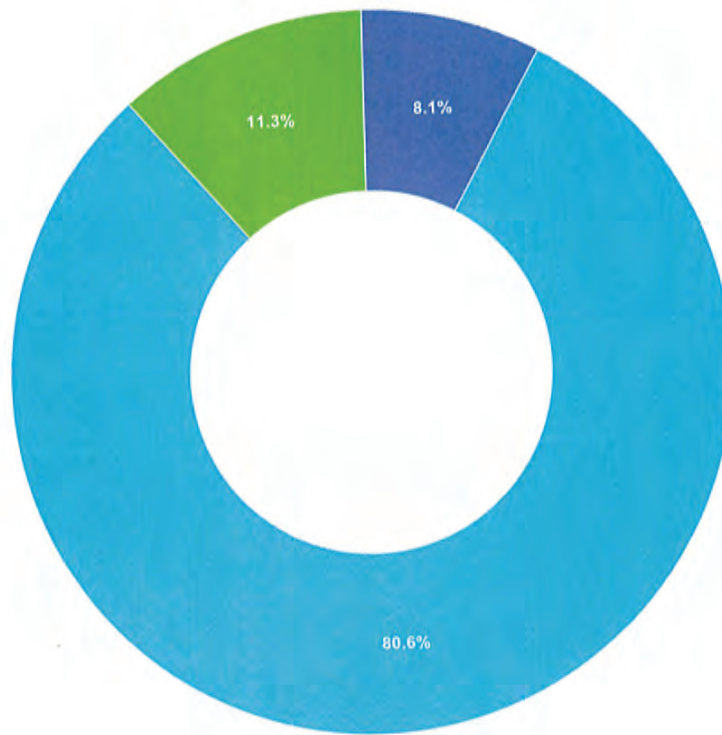
Q10 Do you feel professionally supported by the Command Staff?



Answered: 62 Unanswered: 2

Choice		Total
	Yes	8
	No	44
	Undecided	10

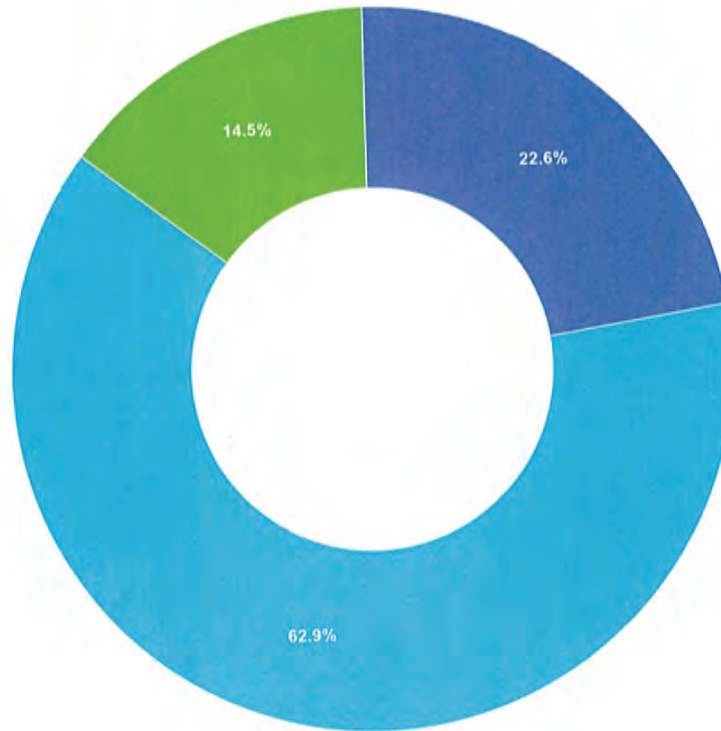
Q11 Is Command Staff open to evaluation and improvement?



Answered: 62 Unanswered: 2

Choice		Total
	Yes	5
	No	50
	Undecided	7

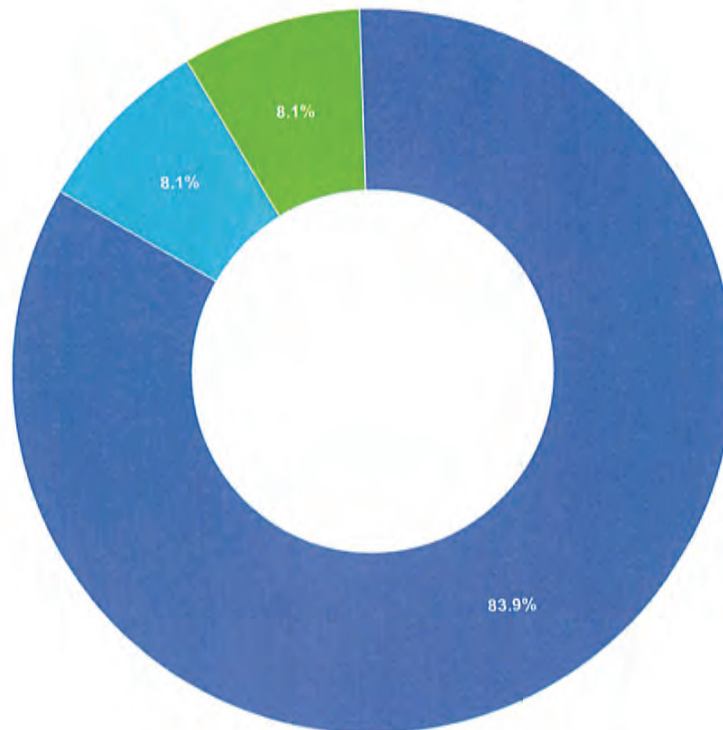
Q12 Is training at CPD readily available, sufficient in scope, and applicable to your daily duties?



Answered: 62 Unanswered: 2

Choice	Total
Yes	14
No	39
Undecided	9

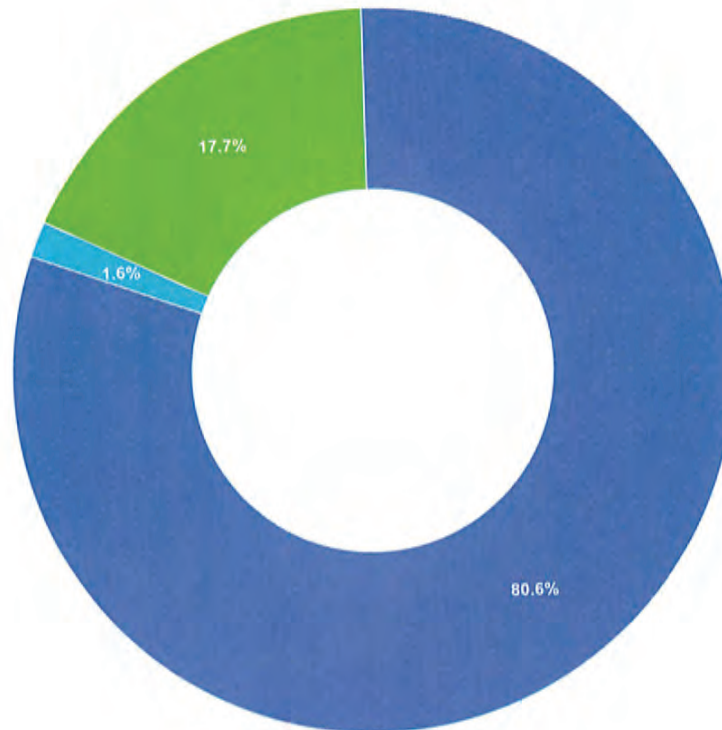
Q13 Have you considered other career options because of the additional community pressure and scrutiny put on CPD officers in the past three years?



Answered: 62 Unanswered: 2

Choice	Total
Yes	52
No	5
Undecided	5

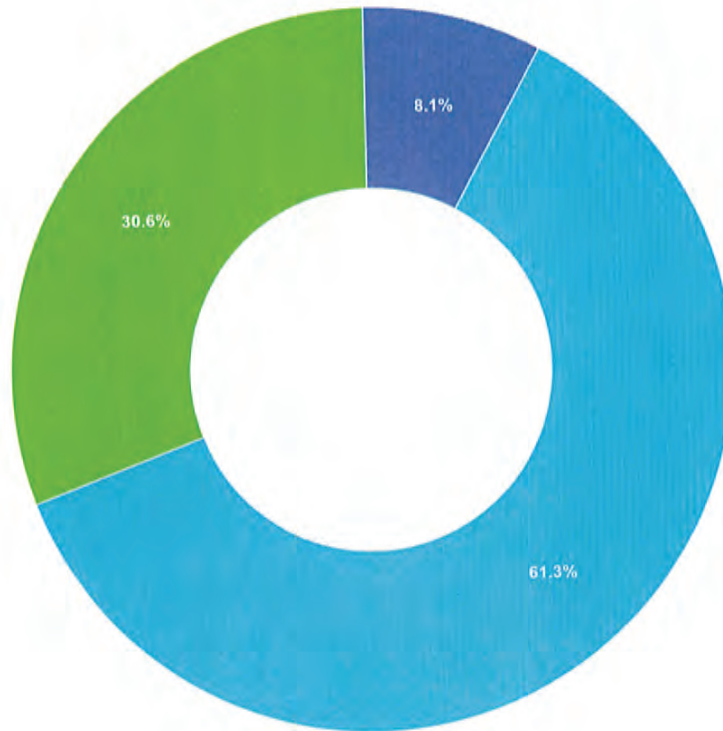
Q14 Has the Chief of Police, in her role as a leader, helped to make you feel more or less secure in your future with the CPD?



Answered: 62 Unanswered: 2

Choice	Total
 I feel LESS secure in my career.	50
 I feel MORE secure in my career.	1
 The Chief's actions do not affect my feelings of security in my career.	11

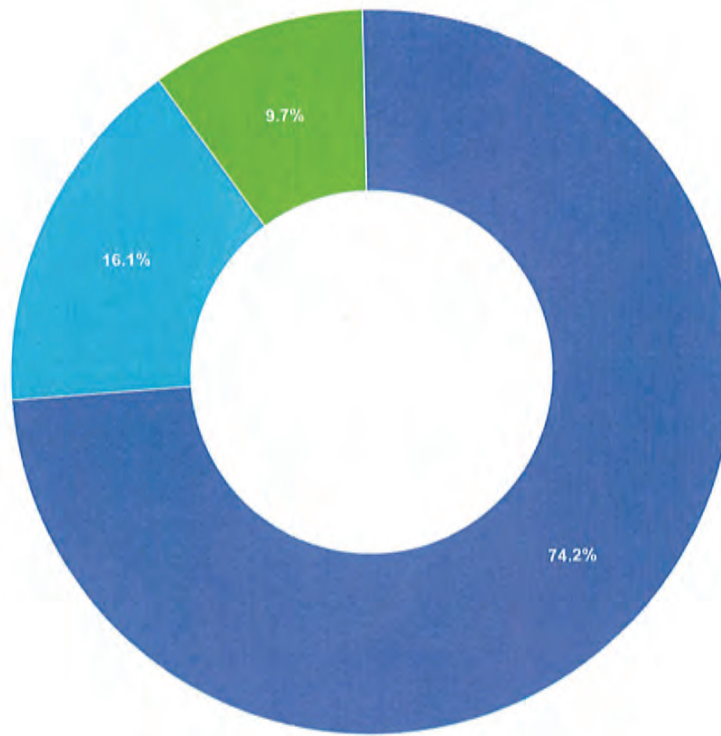
Q15 If a friend or relative was interested in a career in Law Enforcement would you:



Answered: 62 Unanswered: 2

Choice	Total
 Tell them to apply to CPD.	5
 Tell them to apply to another law enforcement agency.	38
 Tell them to consider another profession.	19

Q16 Are the Command Staff and their decisions a major factor in your current feeling about your law enforcement career?



Answered: 62 Unanswered: 2

Choice	Total
Yes	46
No	10
Undecided	6

Q17 What are the four largest concerns the CPD faces presently?

Saturday, July 31, 2021, 8:26 AM UTC

- 1.) Lack of support from the community as a whole, including the City government.
- 2.) Low morale
- 3.) Increasing staff shortages
- 4.) Lack of communication and transparency from Command level

Monday, July 26, 2021, 12:48 PM UTC

Lack of leadership.

Leadership is focused on finding ways to get rid of officers instead of investing in and building upon the individual officers strength and training to improve on areas of weakness.

Leadership doesn't support officers.

Leadership panders to the PCRB and public instead of providing support to officers.

Leadership has chosen to distance itself from calls where partnership with local mental health support organizations are key And this is due to CPD leaderships need to be in a pissing match for control instead of service to the community.

No leadership at CPD.

Sunday, July 25, 2021, 6:14 PM UTC

Recruitment, retention, leadership, and morale.

Saturday, July 24, 2021, 7:29 AM UTC

1. Current staffing numbers and Officers resigning about as fast as we can hire new ones; 2. The Commonwealth Attorney and his office is spineless and pitifully soft on crime; 3. The City Counselors, by either their own agenda or caving to political pressure, have made it clear that they do not support the CPD at all; 4. The current social persecution of Police which is amplified by the media makes Officers fearful and apathetic of the job and the public.

Friday, July 23, 2021, 10:30 PM UTC

Staffing

Pandering to special interests groups

Discipline actions

Pay scale

Friday, July 23, 2021, 8:59 PM UTC

Pay, staffing, PCRB, Council decisions

Friday, July 23, 2021, 6:01 PM UTC

Leadership

Morale

Competitive wages and incentives

Training

Friday, July 23, 2021, 5:29 PM UTC

Trust....Respect... loyalty (with in own department).

We are constantly losing good people (one was a excellent leader— how do we lose a 20 year employee?)

The citizens themselves constantly think we are racist and are throwing it in our face. Disregard that they are being racist to us for wearing a uniform.

Constantly having to CYA our actions.

Some who are in leadership have let it go to their head and have forgotten what it is like out on the front line. They have made just as many mistakes, and have done worst things than the one's out here now or even those who have left.

Friday, July 23, 2021, 5:22 PM UTC

Unable to compete with other departments salaries and benefits, which leads to is losing officers

Friday, July 23, 2021, 5:15 PM UTC

*CPD currently has no mission, no goals and no objectives. The agency flounders with no vision. We simply address issues as they arise. Daily activities involve making it through the duty shift and avoiding internal conflict to do it all again tomorrow.

*CPD for all purposes is no longer a law enforcement agency, and hasn't been for many years. The agency is not concerned with enforcing the law. It is more concerned with activism.

*On a specific level, the departments fleet is in terrible shape. While this is City of Charlottesville issue in the last couple of years (the way vehicles are purchased is a City matter, not CPD. And any and all concerns fall on deaf ears to city council and other city leadership.) The fleet is constantly old, never updated quickly enough and some of the oldest cars are flat out dangerous to drive. It is constantly brought up, but a take home car program would hold Officers accountable for their equipment, instill pride in their equipment and prolong the lifespan of city vehicles. It took me near a decade to obtain a take home car and as someone that now has one, I advocate the same for others.

*Proactivity is non-existent. This is due to two major factors. The feeling of non-support from Command in your actions, and also the overwhelming amount of paperwork and documentation that is required to simply do the job. If you spend 1/3 of your shift doing police work, you will spend the next 2/3 documenting your every last action. As a result, instead of spending ours doing meticulous paperwork documenting routine citizen contacts, Officer's simply decide to avoid the work all together. Proactivity doesn't exist and as a result the amount of new Officers with limited knowledge of how to do the job is staggering. There are years worth of Officers who don't know how to do the job because they simply don't have the experience to know what they are doing, despite being on the streets for several years.

Friday, July 23, 2021, 5:10 PM UTC

PCRB unwillingness to learn the job of police officers.

Pay step system

Specialties

Do as I say not as I do authority.

Friday, July 23, 2021, 4:10 PM UTC

Retention.

CRB

Lack of incentives for new hires

Lack of training

Tuesday, July 20, 2021, 9:06 PM UTC

My first concern is that the chief is more focused on her political career and personal interests over the safety and mental health of her officers. She will hang any officer out to dry before she admits any personal wrong doing or the wrong doings within the community.

Command staff is focused on appeasing the chief over being impartial and fair when it comes to discipline. There is a climate of fear within the department.

The chief has a no tolerance policy for policy violations but has violated many policies herself without hesitation. She is not disciplined for her personal actions but is quick to punish others for far less.

There is no standard way of discipline. If you are a "yes man" your punishment is far different from the person who speaks out against command staff and the chief. If you are favored by command staff and the chief, you will be favored for promotions over officers who speak out for their beliefs, even if they differ from the chief's personal views.

Tuesday, July 20, 2021, 6:26 PM UTC

Leadership, retention, pay, and vehicles

Tuesday, July 20, 2021, 12:29 PM UTC

Toxicity/Hostile workplace created by the Chief and Captain Hatter, pay, morale, favoritism that leads to few doing the workload and many others not pulling their weight.

Monday, July 19, 2021, 11:39 PM UTC

1. Accountability of Command Staff and Supervisors
2. Supervisory retaliation
3. Inability to be promoted throughout entire career
4. Pay compression/Command Staff getting pay raises and lower personnel only receiving cost of living

Monday, July 19, 2021, 11:23 PM UTC

1. Command Support: We have been told bluntly that first line supervisors are instructed to review bodycam footage for the sole purpose of writing us up.
2. Community Pressure: We currently allow certain groups with anti-police sentiments do whatever they want in the city and we are instructed to stand down, pro-police sentiment groups are not afforded the same luxury. We do not feel as if we are supported to do our job, so we do little more than just answer calls anymore.
3. Vehicles: We currently do not have a vehicle take home policy. Which would be fine if our fleet vehicles were not so old and un-trustworthy. We currently have multiple officers in take home new Ford Explorers that only drive vans at work. So there are quality little driven marked SUVs that transport some officers to work and home, they should be used in the fleet instead of Crown Vics that have over 150,000 miles on them.
4. Money: Of course we are not paid enough. This is not one of my main concerns but it is concern.

Monday, July 19, 2021, 2:08 AM UTC

Training

Leadership

Longevity

Politics

Saturday, July 17, 2021, 5:01 PM UTC

Moral

Retention

Bias against Police

Lack of trust in command

Friday, July 16, 2021, 2:25 AM UTC

Competitive salaries

Employee retention

Training

Lack of leadership

Wednesday, July 14, 2021, 10:54 PM UTC

Unfair policing by command staff, command staff going after officers for personal vendettas, pcrb/citizens having too much influence over disciplinary actions, sometimes creating "lawful" actions, the major lack of leadership and what little leadership we have gets targeted and forced out of the department by our chief. Lastly our current administration is only concerned with advancing their own careers and stepping on their officers while trying to achieve their selfish goals.

Wednesday, July 14, 2021, 11:29 AM UTC

Morale, distrust, retention, public safety

Wednesday, July 14, 2021, 6:44 AM UTC

I feel like CPD command staff does not value or trust the officers under their command.

I feel like I do not have the support of my command staff.

Due to the current situation we have a very large amount of officers who have left and or in the process.

There has only been a few new officers added from the past few academy's. Safety and time off are going to become a concern.

Monday, July 12, 2021, 8:48 PM UTC

*Pay

*Not feeling supported from the top

*Not feeling valued

*Too much negativity coming from command and not enough positive affirmation. Command is very quick to tell you what you are doing wrong but fails to give praise when it do. Example officer of the months is six months behind and they haven't announced officer of the year for 2020 yet.

Monday, July 12, 2021, 4:33 PM UTC

1. The false arrest of Officer Jaeger, and the terminations of Wood, Oberholzer, Hudson, and Godfrey.
2. The mafia-esque culture of fear and retaliation.
3. Command staff lying and fabricating information to support their actions (suspensions, terminations, etc.) (lieutenants included)
4. We literally cannot do our jobs without the potential of having our lives ruined if someone complains.

Monday, July 12, 2021, 4:10 AM UTC

Retention is the Number 1 problem, due to:

- 1) Command staff, especially the Chief, do not know how to treat officers with respect and often address officers in a condescending and insulting manner during meetings;
- 2) Officers fear prosecution or firing for minor or false accusations of misconduct;
- 3) Officers are frequently responding to firearm calls and the CA's office usually fails to strongly prosecute these dangerous offenses;
- 4) The Chief's training contract policy has resulted in significantly more training requests being denied than in the past, and officers are less likely to request training in the first place. This was supposedly implemented for budget reasons, but the department always has \$100k+ left at the end of the fiscal year. The training contracts are demeaning and weaken the department's capabilities because officers are not receiving specialized training.

Sunday, July 11, 2021, 9:22 PM UTC

1. The lack of respect from the Command Staff is detrimental to the morale of the department. The Command Staff have repeatedly lied to us, made us feel like we are horrible at our jobs and are vindictive with their actions. We are not treated with the respect that other city employees are, more as outcasts, or the "bad employees."
2. All of our specialized units that help protect our community have been dissolved by the Chief.
3. Officers are being heavily scrutinized by the Command Staff, who are requiring Sgts to review videos regularly trying to find officers "breaking policy." However, the Command Staff breaks policy and there are no repercussions for them.
4. CPD does not offer compatible benefits compared to other local agencies. Salaries compared to UVAPD and ACPD are significantly less. Many of us have been kicked out of our office space at PD and are not made to feel welcome in the building. We are losing our take home cars, as there are not the funds to sustain this program as an incentive for our officers. However, the Command Staff has received salary increases, new office spaces and always have a take home vehicle.

Sunday, July 11, 2021, 7:08 PM UTC

Lack of support from command

Pay

Take home cars

Being charged by a liberal CA who cares more about an assault case than when an Officer got shot

Sunday, July 11, 2021, 2:33 AM UTC

Morale, leadership, recruitment, training

Saturday, July 10, 2021, 8:32 PM UTC

1. Lack of true leadership, it feels more like a dictatorship.
2. We used to care about each other and now it seems like is that we are divided.
3. Saving face is more important than taking care of your people, getting to know them, and making them feel valued.
4. Morale is at an all time low and the environment is continuously hostile.

Saturday, July 10, 2021, 3:32 PM UTC

- low pay, no longevity pay, no education bonus.
- Chief doesn't wanna be here and will throw us under the bus for her own gain
- Rising gun violence but continued reduction in officers. (Quitting or transferring)
- Community is against us, command staff doesn't have our back, review board is against us.

Saturday, July 10, 2021, 3:29 PM UTC

Officer retention

Command staff

CRB

Chief

Saturday, July 10, 2021, 3:20 PM UTC

Command staff

CRB

Use of force policy

Moral

Saturday, July 10, 2021, 4:23 AM UTC

1. The Chief and Command Staff have an absolutely massive disconnect between themselves and the day to day operations on the street level.
2. The Chief and Command Staff base too many of their decisions off of the possible public opinion and how their decisions will be viewed in the media.
3. Our Commonwealths Attorney has no interest in working with the police to prosecute crime. His only interest is in being re-elected
4. Retention. There is no reason for many officers to stay here.

Saturday, July 10, 2021, 1:33 AM UTC

City government

Pay

Pcrb

Friday, July 9, 2021, 9:59 PM UTC

Retention, cost of living, quality training, CRB

Friday, July 9, 2021, 9:08 PM UTC

Command seems to be very vindictive and selfish.

We only have patrol and investigations, with a minor traffic unit, and no other specialties available to officers.

Our SWAT team has been disbanded and doesn't seem like it's coming back.

Commands agenda seems political and not within the best interest of the officers they represent.

Friday, July 9, 2021, 8:58 PM UTC

Retention

Ineffective Leadership

Ineffective hiring/ training practices

Pay

Friday, July 9, 2021, 8:52 PM UTC

Pay, trust, leadership, fleet cars, morale

Friday, July 9, 2021, 8:08 PM UTC

1. Command staff is concerned only with personal goals and not the officers or community's well-being.
2. Command staff is more concerned with appearance than substance in its community role.
3. Command staff determines investigations by the outcomes they want rather than where an investigation leads them- resulting in willfully engaging in misrepresenting events and statements and other immoral/unethical activities. To include targeting those with dissenting opinions.
4. Failing to provide meaningful training on or even allowing questions about the new use of force policy.

Friday, July 9, 2021, 6:49 PM UTC

Pay, staffing, pcrb, council

Friday, July 9, 2021, 6:28 PM UTC

Lack of experience, no swat team, no drug interdiction, no training

Friday, July 9, 2021, 4:54 PM UTC

1. Discipline. When Command reviews an incident, they'll find four minor policy violations to write you up for, even if you handled the major incident well.
2. Lack of trust. We can't trust Command staff to have our backs if an incident really goes south.
3. Paperwork. We have 8 different ways of documenting information on a single traffic stop, and we have to do them all. A lot of us don't do traffic stops because it's too much work.
4. Online presence. Maybe Command is doing a great job but the way we see them interacting with the community via Facebook posts is pandering and heavily biased toward their political leanings. It's not okay to promote that on what should be a professional, neutral online space. We alienate our citizens with that kind of behavior.

Friday, July 9, 2021, 4:38 PM UTC

Officers are not supported by the command staff, I.E. Command staff is encouraging supervisors to unfairly scrutinize officers and write them up for every single minor violation. minor policy violations are viewed as discipline and officers are improperly trained and disciplined when they occur. Captain Hatter himself has said he has no idea why anyone would want to work for the department, as well as saying he hoped anyone who disagreed with him quit because he could run the department with six people, and he "could teach a monkey to do this job".

The command staff below the level of the chief (Major, captains, and LTs) are so scared of the chief that they are willing to do illegal and immoral things solely because she tells them to. Everyone is terrified of the chief and captain Hatter and unwilling to challenge her when they believe her actions or decisions are wrong.

Officers have been openly encouraged by command staff to do less police work, and to limit citizen contacts in order to reduce complaints. Officers have been openly discouraged from being proactive in high crime areas due to command staff believing officers in high crime areas will result in a negative interaction with the public even though the actual residents of these high crime areas have been calling in begging for a larger police presence.

As one could imagine due to the three above concerns all being related to the command staff discouraging officers from doing the job they got hired to do it has resulted in an all-time low in the morale of every officer. The morale has never been lower, and over 75 percent of the department is currently looking for employment elsewhere, and when officers are at work they have no proactive interactions, and the department has become completely reactive. Officers sit in parking lots around the city and complain to each other until they receive calls. And when they do respond to calls they are effectively walking on eggshells and scared to act because they are in fear of getting in trouble, fired, or arrested. Instead of asking officers how to improve morale this reactive behavior is encouraged and officers do not receive the necessary training to be proactive or how to act appropriately on calls because supervisors are also scared to have their officers act and be proactive.

Friday, July 9, 2021, 3:28 PM UTC

Inconsistent treatment of policy violations.

Poor training policies for new hires.

Inability to retain officers due to internal climate of distrust of command.

Inability to retain officers due to pay/benefits falling behind regional alternative agencies.

Friday, July 9, 2021, 3:24 PM UTC

Lack of training.

Short staffing.

Low pay.

Lack of support from City Council.

Friday, July 9, 2021, 3:14 PM UTC

1. Lack of support from command
 2. Low morale
 3. Lack of training opportunities
 4. Civilian Review Board
-

Friday, July 9, 2021, 3:07 PM UTC

The chief destroying ALL relations we have with any other agency.

No SWAT

No drug unit to stop the growing drug problem.

The chief using us as a political platform.

Friday, July 9, 2021, 3:01 PM UTC

The chief is vindictive and does not take criticism. Executive command is afraid of her and won't stand up when she is doing something unethical or wrong. She has no integrity and will target people she doesn't like as will others in command. The department has no faith or trust in command staff. She doesn't care about her officers she has other goals. Command and executive command are in self preservation mode. She is a corporate psychopath and I believe she possibly has some mental health issues. She is narcissistic and doesn't know how to lead or deal with people. We are hemorrhaging officers and she is looking at external issues not at her issues or those of command. We have no confidence in her or her command staff. Officers hide and wait for a call because they are scared to death to do their jobs. They know the chief, the city, the crb and the public will not back them.

Friday, July 9, 2021, 2:56 PM UTC

1. Trust in command
2. Pay
3. Trust in the commonwealth
4. Fleet

Friday, July 9, 2021, 2:52 PM UTC

I don't know about 4 of the largest concerns. But honestly one thing is that it feels like command staff is only looking out for themselves. They're making policies that are nearly impossible to abide by. These include use of force policies. These policies are so strict almost any officer could be punished for doing almost anything. It seems like they are making it very easy for them to justify firing us at any given moment. It seems like they are doing this so that if any of us mess up more than a little they have their backs covered with these policies so they won't have to stand up for us. Recently several officers have been fired for saying politically incorrect things on their work phones. They were fired based on what they said with no evidence that any of that affected how they did their jobs.

The current climate of the department is "you better do nothing and say nothing or you will be fired"

It also seems they are giving everyone write-ups and suspensions for minuscule things in order for it to be very hard for officers to find work elsewhere.

Also instead of taking the time to find good recruits they hire huge amounts of people. It's like in the eyes of command staff officers are completely replaceable and disposable.

If you question or criticize any policies above sergeant level you will be given verbal counseling.

Also it's come to our attention the chief keeps all suspensions, verbal counseling's, and write ups in our files forever. Even after it says in our policy that they should be destroyed after a predetermined time.

These are just several things that concern me

Friday, July 9, 2021, 2:37 PM UTC

Salary, Retention, Morale, Support- all equally terrible currently.

Friday, July 9, 2021, 2:28 PM UTC

Chief of police looking out for her political self

The community review board having too much power

Unable to be proactive

Friday, July 9, 2021, 2:22 PM UTC

Lack of a SWAT element, pore command staff leadership, lack of training in firearms and essential defensive tactics, the chiefs ability to lead the officers in our department.

Friday, July 9, 2021, 2:21 PM UTC

- 1) Poor or lack of leadership
- 2) No trust between patrol and command staff
- 3) Picking and choosing when and where policy applies or doesn't.
- 4) Large increase in suspension and write ups without any verbal counseling or explanation.

Friday, July 9, 2021, 2:15 PM UTC

Retention issues

Lack of Leadership

Lack of Specialties (SWAT, drug unit etc)

Terrible lack of adequate training

Thursday, July 8, 2021, 3:30 PM UTC

Chief Brackney mindset on eliminating good officers and looking ahead to her next job.

Answered: 58 **Unanswered:** 6

Q18 What does Command Staff do well to support you, your job, and the department?

Monday, July 26, 2021, 12:48 PM UTC

No support

Sunday, July 25, 2021, 6:14 PM UTC

We are well equipped in most areas.

Saturday, July 24, 2021, 7:29 AM UTC

Unknown. It seems the only time we hear about Command Staff is when they order a correction to something they think is wrong.

Friday, July 23, 2021, 10:30 PM UTC

Recently they've become more transparent with important decisions.
Also the Chiefs advisory board creation has had a positive impact on the current atmosphere

Friday, July 23, 2021, 6:01 PM UTC

Honestly, it does not appear they value or support the frontline officers.

Friday, July 23, 2021, 5:29 PM UTC

I am still trying to figure out what some of them even do. This is sad!! I am really not sure.

Friday, July 23, 2021, 5:22 PM UTC

N/a

Friday, July 23, 2021, 5:15 PM UTC

Command does very little, if anything to instill purpose, direction and leadership to the department. They are rarely heard from, and its most often negative when they are. There have been instances where they have flat out lied. If a mission statement changes, so be it, but don't tell people that they were never told something when they absolutely were. Every once in a while, Command will put on the "feel goods" and try to sway things back in a positive direction. But after some reflection and time for their statements to soak in, reason and common sense returns and it is quickly realized that a tactic was used, and real change isn't coming.

Friday, July 23, 2021, 5:10 PM UTC

Major Mooney continually praises officers.

He is the only command I've seen at roll call. There is nothing else positive to say about others.

Friday, July 23, 2021, 4:10 PM UTC

I believe they work hard behind the scenes to help us. They have been more present recently.

Tuesday, July 20, 2021, 9:32 PM UTC

Command staff doesn't do anything "well" to support officers, the job, or the department. Again, everybody has been beaten into submission by the Chief and regardless of what anybody in command would want, it's ultimately the chief's say. Unfortunately, the chief doesn't want to produce well rounded officers. She wants to produce those who fall in line with her views and don't create waves. Command often times looks like a bunch of abused children, because when they bring forth their own ideas, they are put into their place. The chief actually said "the more interactions we have with the public, the more of a chance that we will have a negative interaction." Who wants a chief that doesn't want us engaging with the public? What does that say about how SHE feels about the work we do? The only person in command that pretends to try is Major Jim Mooney, but my personal belief is that he has given up because he is just keeps beating his head against the wall known as Rashal Brackney. Joe Hatter, Steve Knick, and Tito Durette have done absolutely nothing to further the officers of CPD.

Tuesday, July 20, 2021, 9:06 PM UTC

Nothing. I have not felt supported once in my time at CPD from command staff. There is a constant climate of fear within the department. It is a constantly daily fear of being written up or fired for minor violations. I don't feel like I could come to any members of command staff with an issue or concern. Luckily there are Sergeants that I feel comfortable confining in but you know they are just as concerned with command staff hanging over their heads. Command staff spends more time focusing on the errors of their officers and looking for punishment and less time looking at the positive policing they have within the community and rewarding that hard work.

Tuesday, July 20, 2021, 6:26 PM UTC

I can't think of anything

Tuesday, July 20, 2021, 12:29 PM UTC

Nothing. I feel that Major Mooney attempts to be supportive, but he cannot win against the Chief when she is the ultimate deciding factor.

Monday, July 19, 2021, 11:39 PM UTC

None

Monday, July 19, 2021, 11:23 PM UTC

First line supervisors as a whole at the department are excellent, even though we recently just lost two of the most loved supervisors for reasons that have not been made clear to us. Higher command does nothing to support us, in fact the opposite. I have been employed at CPD for over 3 years and I would bet my salary that the Chief does not know my name. Patrol Captain Hatter is one of the worst command staff I have ever worked for and I have been in 2 other departments and spent 8 years active duty Army. He shows absolutely no respect or loyalty to his men and in fact almost exudes disdain for us, in fact to quote him to a fellow officer in respect toward a question about the sad states of fleet vehicles.. "fuck them, fuck them all".

Monday, July 19, 2021, 2:08 AM UTC

I don't know

Saturday, July 17, 2021, 5:01 PM UTC

The PD a lot to protect them selves as the leader ship.

The officer do not feel protected by Command

Wednesday, July 14, 2021, 10:54 PM UTC

Nothing. Nothing at all. Only positive thing I can say is that I still receive a paycheck every two weeks.

Wednesday, July 14, 2021, 6:44 AM UTC

No. You sort of feel like you have a target on your back. Moral is at an all time low and this is not the place I originally applied to.

Monday, July 12, 2021, 8:48 PM UTC

They brought back the chief advisory board, but who knows where that information goes.

Monday, July 12, 2021, 4:33 PM UTC

Nothing. We could withstand the outside pressure of they supported us, but they are the most dangerous element in this whole equation.

Monday, July 12, 2021, 4:10 AM UTC

The Command Staff generally supports the department well with equipment purchases. The Command Staff are usually friendly and polite with officers in one-on-one interactions.

Sunday, July 11, 2021, 9:22 PM UTC

Every one of the Command Staff is out for themselves and their careers. They do no support us, my job or the department unless the outcome is going to make them look good or advance their career.

Sunday, July 11, 2021, 7:08 PM UTC

I gave this question some serious thought and couldn't come up with much.

They allow beards now

Sunday, July 11, 2021, 2:33 AM UTC

Not much. I have never worked with such a negative administration.

Saturday, July 10, 2021, 11:40 PM UTC

Yes, 100%

Saturday, July 10, 2021, 8:32 PM UTC

The commander of my division does an amazing job making sure we have what we need and makes us feel valued. But as a whole, that is not the case department wide.

Saturday, July 10, 2021, 3:32 PM UTC

Nothing.

Saturday, July 10, 2021, 3:20 PM UTC

Not much

Saturday, July 10, 2021, 4:23 AM UTC

Major Mooney seems to genuinely care about his officers. He is the only one.

Saturday, July 10, 2021, 1:33 AM UTC

Offer good training

Friday, July 9, 2021, 9:59 PM UTC

The Chief fights hard to limit CRB powers.

Friday, July 9, 2021, 9:08 PM UTC

They have a lot of meetings.

Friday, July 9, 2021, 8:58 PM UTC

Absolutely nothing. I recently left the CPD 7/4/21 for another department in another state. As soon as CPD command found out I was leaving, I was fighting under severe scrutiny of every action I took. Several times they wanted to violate me on policy and then were mad when I knew the policy better than they did and knew they couldn't write me up. They even went as far as to say they needed me to provide medical documentation that I was not a "liability". During my 8.5 years at CPD I have caught several command staff members violating policy or completely disregarding it as TJ see fit. I was even told at one point that "policy doesn't matter, because I'm changing it soon". Command doesn't know the first thing about leadership or leading this department. They are driving people away.

Friday, July 9, 2021, 8:52 PM UTC

Honestly I don't know.

Friday, July 9, 2021, 8:08 PM UTC

Nothing. It is almost always transactional. There is little to no communication with command staff and interactions are invariably punitive or threatening.

Friday, July 9, 2021, 6:49 PM UTC

Tell me the truth

Friday, July 9, 2021, 6:28 PM UTC

Command staff only cares about the political climate.

Friday, July 9, 2021, 4:54 PM UTC

At least up to the Lieutenant level, they're approachable and willing to talk through a problem to the best of their abilities, whether that's with the officer or the department as a whole. But I've never interacted with anyone of a higher rank. They don't seem to care about the patrol level.

Friday, July 9, 2021, 4:38 PM UTC

The command staff has recently allowed officers to grow beards, and have opened up the grooming policy to be more lenient.

Friday, July 9, 2021, 3:28 PM UTC

I still have a take home for now.

Friday, July 9, 2021, 3:24 PM UTC

Specific members of Command Staff want to help their officer's and try to provide them with opportunities where they are more capable in order to succeed in their duties.

Friday, July 9, 2021, 3:14 PM UTC

Nothing. At the end of the day, they will lookout for themselves first and foremost. They will not hesitate to throw officers under the bus and make officers examples, if it means protecting themselves.

Friday, July 9, 2021, 3:07 PM UTC

No. The chief is using us as a political platform and the rest of the command staff are scared to stand up for us.

Friday, July 9, 2021, 3:01 PM UTC

I can't think of a single thing.

Friday, July 9, 2021, 2:56 PM UTC

They say nice things to your face. They believe the department is better than it is. Or at least they say so.

Friday, July 9, 2021, 2:52 PM UTC

They let us wear comfortable uniforms. That's about it. But I am thankful for that,

Friday, July 9, 2021, 2:37 PM UTC

Depends on the day and what's at risk.

Friday, July 9, 2021, 2:28 PM UTC

N/A

Friday, July 9, 2021, 2:22 PM UTC

N/A

Friday, July 9, 2021, 2:21 PM UTC

Honestly, I can't think of anything Command Staff does well for the department other than miscommunicating information to fit their narrative.

Friday, July 9, 2021, 2:15 PM UTC

I can't think of one single thing

Thursday, July 8, 2021, 3:30 PM UTC

nothing

Answered: 54 Unanswered: 10

Q19 What could Command Staff to better to support you, your job, and the department?

Saturday, July 31, 2021, 8:26 AM UTC

Better communication of what the goals of the department as a whole should be going forward.

Monday, July 26, 2021, 12:48 PM UTC

Vote the chief and command staff out and replace them with quality, qualified leaders that want the best for the community as well as the officers and who are willing to provide what is need to the officers so they can provide that service.

Sunday, July 25, 2021, 6:14 PM UTC

Need more assurance of commitment to the organization, it's personnel, and mission. Fix what is broken, reaffirm what works well, and vigorously defend what is good and true. I miss being a cop. Stop drowning us in paperwork.

Saturday, July 24, 2021, 7:29 AM UTC

Better communication about what decisions they are making. Reduce the administrative red tape and paperwork Patrol Officers have to do so doing actual police work is easier and fun.

Friday, July 23, 2021, 10:30 PM UTC

Be realistic about the current challenges facing the department.

Be transparent on the reason behind the constant role changes of supervisors

Friday, July 23, 2021, 6:01 PM UTC

Hold themselves accountable just like they do officers

Address why officers continue to leave the agency

Implement a career development program

Provide a flexible schedule so I can have regular time off on the weekends.

Friday, July 23, 2021, 5:29 PM UTC

Let the Sgt's be out in the field with their troops. Stop constantly criticizing people's videos... guide more...

Friday, July 23, 2021, 5:22 PM UTC

N/A

Friday, July 23, 2021, 5:15 PM UTC

Command could learn to tell someone other than Officers "No." While this would make life difficult for them for a while, our community has unrealistic expectations of its Police has no clue how good they have it. Command is quick to dismiss the needs and concerns of Officers by saying "No," but will work till the ends of the world to satisfy unrealistic requests from the community.

Friday, July 23, 2021, 5:10 PM UTC

Verbally and publicly defend the department

Treat us like adult and not some racist Superman who thinks we are all bad.

Friday, July 23, 2021, 4:10 PM UTC

We need more training opportunities and for the discipline structure to be revamped

Tuesday, July 20, 2021, 9:32 PM UTC

Command staff could give clear direction as to what they expect from officers. Do they want officers to be proactive? Do they want them to sit in parking lots? Do they want them to try to find guns and drugs and wanted individuals? Nobody knows, because god forbid they actually lead. Coming to roll calls and providing direction would be a welcomed change. Praising officers for the good they are doing and not immediately firing those who make mistakes would also be a good start. Basic leadership - lead from the front, be a positive change, encourage your officers, welcome new ideas and take grievances seriously. Promote leaders and not sheep. Basic leadership.

In short, Command could make it easy by resigning and putting people into place that have real leadership qualities and are out to better the department and not just their bank accounts.

Tuesday, July 20, 2021, 9:06 PM UTC

Honestly command staff has created such a climate of fear I'm not sure what can be done other than internal changes in leadership. I would love to see the captains and major take a stand for what they believe is right and wrong against the chief. The major is the only person you ever see talking about the good work our officers do. You can tell he has our best interest at heart. However, I've seen other members of command have made their alliance with supporting the chief over their officers extremely evident. There is a constant state of fear of retaliation for speaking out against the chief's decisions. The chief has no one to hold her accountable. It's her way or the highway. If you do not fall in line, you can count your career success finished. You cannot defend or stand up for yourself without fear of repercussion. Officers live in a state of fear of discipline. This has negatively impacted officers mental health. It would just be nice to see some consistency within command staff for discipline, support, and their own policing of their officers.

Tuesday, July 20, 2021, 6:26 PM UTC

Stop looking at our bodycams for things to get us in trouble. Actually try to help, by getting us things that surrounding agencies have such as, more pay, take home vehicles, and career development.

Tuesday, July 20, 2021, 12:29 PM UTC

The chief needs to go and there needs to be a reckoning of the captains that are all too happy to be yes men instead having the fortitude to stand up and say that things are out of hand.

Monday, July 19, 2021, 11:39 PM UTC

Remember they were cops on the street too. Stand up for the troops.

Monday, July 19, 2021, 11:23 PM UTC

We feel so unsupported that if the command staff just told us they support us instead of as the Chief put it.. we are basically all just racist and we go hand-in-hand with the Klan. It wouldn't take much aside from focusing on the most petty issues such as how many items we have on our vest, but concentrate on getting us more help and better vehicles and equipment. We have very outdated laptops in our cars and no sign of that getting updated due to money concerns, but we have once slightly concerning issue about our bodycams and all of a sudden there is all this money out of nowhere to update them.

Monday, July 19, 2021, 2:08 AM UTC

Give use the training we request and the tools to do our jobs. We have 40 less then lethal shot guns and everyone on patrol training but non issued.

Saturday, July 17, 2021, 5:01 PM UTC

Care more about the officers than themselves, and what the City council thinks

Friday, July 16, 2021, 2:25 AM UTC

Implement realistic policies and procedures.

Expand the parameters of our training. Deescalation training is relevant but no substitute for core training.

Wednesday, July 14, 2021, 10:54 PM UTC

All of them quit and we start from scratch with a new command staff with a fresh, positive mindset. I believe a new command staff would heal old wounds and bring a better trust between command and officers. We need a command staff that is willing to put the officers best interest first and not their own. We need true leadership in this new era of policing that is here.

Wednesday, July 14, 2021, 6:44 AM UTC

I don't know things seem pretty broken I'm not sure this can be fixed.

Monday, July 12, 2021, 8:48 PM UTC

Better communication from the top down.

Monday, July 12, 2021, 4:33 PM UTC

Brackney and Mooney could quit or be fired. Hatter and Durette could take their retirements. The entire command staff needs to be completely overhauled. They also need to publicly apologize and withdraw Jaeger's, Wood's, Oberholzer's, and Hudson's terminations, and invite Godfrey back to work.

Monday, July 12, 2021, 4:10 AM UTC

The Command Staff should improve training for officers rather than focusing on minor issues like uniform policy violations.

Command Staff should be required to work patrol shifts on a regular basis. They often seem out of touch with the actual day-to-day work that is done around the department.

The Command Staff should encourage officers to be more proactive.

The Command Staff should publicly support officers if they receive a complaint that is clearly false.

The Command Staff should get rid of training contracts or make the threshold significantly higher than it is now.

The Command Staff should stop holding "all-hands" meetings. Previous chiefs would go to 3-5 roll calls for meetings involving the entire department, instead of requiring officers to come in on their days off. This was much more considerate to officers' personal time and sleep schedules.

Sunday, July 11, 2021, 9:22 PM UTC

At this point the Command Staff needs to be dissolved and new leadership needs to be brought in to try to rectify all of this. The Command Staff has taken things too far and trying to regain the respect of the officers and staff at CPD is going to be impossible. There are officers who have tried to talk to the higher uppers about the tone and their actions, which has fallen on deaf ears. This makes me believe that the Command Staff is not willing to hear any type of criticism. It is evident that any constructive criticism/ suggestions on how to make things better is only used to target those individuals who have the courage to speak up.

Sunday, July 11, 2021, 7:08 PM UTC

Remember where they come from and not cave into the 10 bleeding hearts that are nut jobs

Sunday, July 11, 2021, 2:33 AM UTC

Stop trying to satisfy the negative public. Let cops be cops and make this department real again.

Saturday, July 10, 2021, 8:32 PM UTC

First and foremost, make us feel valued. A lot of have stayed when we certainly could have left. They should talk to us, not at us.

Saturday, July 10, 2021, 3:32 PM UTC

Pay us a living wage for Charlottesville. Give us functional equipment, let us do proactive police work, bring back Jade or at least some squads. Stop firing people. Stop making the department a political tool.

Saturday, July 10, 2021, 3:29 PM UTC

Be more transparent, support officers at the patrol level, improve/update policy

Saturday, July 10, 2021, 3:20 PM UTC

Stop firing good officers without explanation. Create multiple units to help combat gang violence, drugs, and guns.

Saturday, July 10, 2021, 4:23 AM UTC

Be involved. Ask questions and be prepared for the answer and look to improve rather than rebut. Work with the city to find ways to implement a pay scale. Stop with all the red tape at every part of our jobs. Revise policies that only look to complicate and already complicated profession.

Saturday, July 10, 2021, 1:33 AM UTC

Unknown right now

Friday, July 9, 2021, 9:59 PM UTC

More engagement with patrol division. Be more open to feedback and not take it personally. It helps when the Major, Chief and Captains engage us and interact with us like we are equal; Command should make an effort to get to know officers and not just look at us as a badge number. Command should get out in the streets more and refresh themselves with modern day LE

Friday, July 9, 2021, 9:08 PM UTC

They could stand up to these criminals and everyone else in the community who doesn't have the community's best interest in mind. They could also have officers backs when these people decide to complain about things that aren't even true most of the time. They could also take constructive criticism as mature adults instead of treating it as a personal attack on them.

Friday, July 9, 2021, 8:58 PM UTC

Abdicate. Leave. No one trusts them and nothing can be done to change that now.

Friday, July 9, 2021, 8:52 PM UTC

Honest communication, be present, give direction and end petty behavior such as taking the ability to eat in roll call.

Friday, July 9, 2021, 8:08 PM UTC

Resign. The current command staff has willfully participated in unethical and abusive behaviors which make them unfit to be in law enforcement, let alone leadership positions.

Friday, July 9, 2021, 6:49 PM UTC

Pay me mire

Friday, July 9, 2021, 6:28 PM UTC

Listen to officer concerns, promote drug interdiction and training, allow there to be a swat team

Friday, July 9, 2021, 4:54 PM UTC

Interact with us, and in a way that doesn't lead to us getting written up. Also discipline consistently, not solely based on who Command doesn't like that week.

Friday, July 9, 2021, 4:38 PM UTC

Outside of the grooming policy changes the command staff has done nothing but instill fear in the minds of every officer working in the department.

The command staff could do a better job of being open to criticism and actually taking the criticism seriously instead of simply brushing it off. Or instead of being so terrified of the chief that they do nothing with the criticism. The major himself has told me that he cannot change the chiefs mind on anything, and once she has made a decision there is nothing anyone can do. This type of behavior has done nothing but create a culture where everyone has simply given up and no longer fights for the officer. The front line officers have been completely forgotten, and they feel like they have no one in their corner defending them. Command staff needs to remember that the front line officers are the most important officers in the department as they are the first ones anyone sees when they call the police.

Command staff needs to begin investing in their people and encouraging them to be the best they can be instead of leading through fear and intimidation.

Instead of routinely making examples of good cops and good supervisors they need to begin to attempt to rebuild trust with these officers and find out how and why they have become so disgruntled instead of disciplining them and firing them for speaking negatively of the command.

Friday, July 9, 2021, 3:28 PM UTC

Allow for training outside of poorly conducted online training or another deescalation from none LEO. Handle policy violations based on the action and not based on the officer. Not saying one thing and then taking action opposite of that. Back officers publicly for well conducted police work. Allow for an environment that is conducive to proactive police work that the community is requesting. Allow for the continued supervision and training to refine new officers past FTO period without allowing it to get to a point of job failure due to poor training.

Friday, July 9, 2021, 3:24 PM UTC

Seek grants. Implement a training program where specific and necessary training is provided on a regular basis. Not disregard opportunities, ideas, or training based on what City Council might say.

Friday, July 9, 2021, 3:14 PM UTC

Promote proactive policing, provide better training opportunities and listen to officer feedback and concerns.

Friday, July 9, 2021, 3:07 PM UTC

Care about policing and actually want to make Charlottesville a safer place to live. All they do is play into the political atmosphere of the city in order to cover their own butts. We've been told in the past to stop patrolling some high drug/crime area so much because an activists complain.

Friday, July 9, 2021, 3:01 PM UTC

Care about its officers. Not just try to screw them and look to fire them over petty bullshit. Stand up and take ownership for problems. Give the officers a second chance when they make mistakes. Sgt.'s have to review all bwc footage and write people up instead of either being on calls to help and guide them as a first line supervisor or if they find issues use them as a training tool not just to put pen to paper.

Friday, July 9, 2021, 2:56 PM UTC

Realize the modern officer, the modern climate, and Charlottesville PD is the laughing stock of the state. We need to have a better schedule. Better pay, and more faith that the command staff truly wants to retain us. Rather than replace us.

Friday, July 9, 2021, 2:52 PM UTC

Live a week in the patrol officers shoes. They have become so disconnected from patrol level life they have no idea how the policy changes they make affect our job. I recently asked in roll call how I am supposed to arrest someone without violating a policy and my Lt. said "well, I don't know and I don't care. I don't do that anymore good luck."

Friday, July 9, 2021, 2:37 PM UTC

Leave their personal agendas at home

Friday, July 9, 2021, 2:28 PM UTC

Everything

Friday, July 9, 2021, 2:22 PM UTC

Lead from the front, receive insight from their officers, build rapport with officers, establish fair policies that don't discourage police work.

Friday, July 9, 2021, 2:21 PM UTC

- 1) Stop playing both sides of the agenda.
- 2) Be direct with officers
- 3) Attempt to increase moral within the department versus telling officers it's only going to get worse.
- 4) Support officers discretion on calls versus critiquing them because they did it differently than you would have.
- 5) If an officer makes a mistake, start with verbally explaining to them what and why there's and investigation instead of a suspension without any explanation.

Friday, July 9, 2021, 2:15 PM UTC

Encourage us to perform our duties in correlation with the law rather than political views

Incorporate specialized units to help reduce drug and gun violence

Focus on retention. This department is constantly losing good officers and it seems like they don't even care.

Thursday, July 8, 2021, 3:30 PM UTC

Care... even just a little.

Answered: 56 Unanswered: 8

Q20 Other comments.

Sunday, July 25, 2021, 6:14 PM UTC

Rediscover our backbone, ensure the public trust, uphold the law.

Saturday, July 24, 2021, 7:29 AM UTC

Command Staff appears to not work as a team. The Chief seems unable to accept criticism or ideas not aligned with her own. In the past few years every meeting I've personally been in where the Chief was present always ends with her yelling, which discourages feedback from anybody but yes-men. I have also heard second hand that the Chief does this at just about every meeting.

First line supervisors need to be observing their Officers in the field. They are being drowned in administrative duties and are forced to lead from behind a computer screen watching camera video.

Job satisfaction is falling quickly because of the perceived lack of support from the public and politicians, the revolving door justice system which apparently refuses to keep criminals in jail, and generally being underpaid.

Friday, July 23, 2021, 5:29 PM UTC

This use to be the department everyone wanted to come to but now we get recruits but lose them to other agencies because they either support more or have a better offer.

We are to heavy up top, we need more in the field.

Friday, July 23, 2021, 5:15 PM UTC

The Charlottesville Police Department, simply put, is lost. I used to come to work with purpose and vision; to fight crime and help the citizens of this community. Crime fighting is gone, proactive police work is dead, and Officers come to work with no drive and no sense of purpose. CPD routinely judges other agencies by their actions while in reality CPD is the agency that is floundering. Things like they will feel our hurt, or change is coming for them, is said. While this may be true, CPD doesn't need to be the pioneer that ushers in a new age of policing that isn't sustainable or realistic. Crime is crime and it has to be deal with. No amount of head turning will make it go away. CPD prides itself on being on the cutting edge of activism but in reality these efforts only hurt. Violent crime is skyrocketing and most Officers on the street don't have the skills or the knowledge to address these issues. We simply deal with calls as they come in. We are truly a reactive police department. Negativity is rampant, and this is largely to blame as a result of idle hands. Officers that only chase the radio have opportunity to stew, and this breeds discontent. Active Officers are simply put too busy to bitch and moan. This agency doesn't need a new Police Chief, it needs an entirely new Command staff. And after that it needs a focus, any focus. It is my hope that the department focuses on police work and keeping citizens safe.

Friday, July 23, 2021, 5:10 PM UTC

The city will never be competitive with other jurisdictions. The least they could do it make the officers who are still with them feel appreciated and not belittled. Charles Bronson with Virgin Mobil says. "Train your employees so they can go anywhere. Treat them so they don't want to." They have failed at the later.

Friday, July 23, 2021, 4:10 PM UTC

Take home cars and career development would be nice.

Tuesday, July 20, 2021, 9:32 PM UTC

I hope that this survey is taken seriously unlike the climate survey that was completed and went to the wayside, apparently at the direction of Rashal Brackney. The climate and culture at CPD is currently dismal at best. Officers are scared, discouraged, feel unsupported, and are largely unmotivated. Anybody who is smart is looking elsewhere. Anybody who isn't is simply stuck. Anybody who is blessed has found alternate employment. This department continues to lose officers at what are probably record numbers, leaving the department understaffed and Charlottesville less protected. Even some on command staff are themselves "counting down the days" until retirement. Sgt's and Lt.'s are actively searching for other jobs and Rashal Brackney is at the very center of it. Until she leaves and the vast majority of command follows, this department will continue to fall into ruin. She has taken CPD out of JADE. She dismantled our Forensic Tech unit (previously widely renowned throughout the state), and she has all but destroyed our relationships with local law enforcement and VSP. In short, she and command have done little, if anything, to better this department and city. If she feels otherwise she can look at the statistics.

One of the best days of my life was being sworn in as a CPD officer. Looking back, it now stands out as one of the worst decisions that I've ever made and it's truly ruined my outlook on law enforcement as a career.

Tuesday, July 20, 2021, 9:06 PM UTC

When I took this job in law enforcement, I couldn't have been more proud to call myself a police officer in the city of Charlottesville. I was eager to learn, keep the city safe, and grow within the department. However, it has become evident over the years that if you make mistakes, no matter how small, you will be punished. If you speak out against the chief because you do not agree and don't fall in line with her, you will be punished. You come into work each day in fear of messing up. There is the constant fear being called into a captains office. The chief has created such a climate of fear within her department that I have more fear of being fired or punished for not handling my calls the way command wants them over losing my life in the line of duty.

Tuesday, July 20, 2021, 12:29 PM UTC

I feel that the hostile work environment created by some in command staff and the complacency of others in command has spiraled out of control. The only time we hear from the chief is when she is berating, disrespectful and threatening in her mannerisms and tone. We are all too afraid to lose our jobs, that we don't feel we can stand up against her and fight because the retaliation will be too great a cost. The stress and anxiety have caused me to lose sleep, hair, appetite and so many other problems. I have had inadequate bosses before, but I have never worked for a more morally corrupt human.

The blatant favoritism that abounds in this department is unsettling. There are some of us who are doing multiple people's jobs while the chief refuses to hire for those positions (IE the IT job that should have been filled well over a year ago). A sergeant can assault an officer and retain his job after this being the second time in his career that he has done so, but she fires people and attacks them for reasons she makes up in her head.

Monday, July 19, 2021, 11:39 PM UTC

Policies and Promotions are not applied equally due to nepotism

Monday, July 19, 2021, 11:23 PM UTC

CPD needs to unionize. I feel this is an almost unanimous sentiment in the patrol division. We would overwhelmingly vote in favor of this and the PBA can help begin this process

Saturday, July 17, 2021, 5:01 PM UTC

Bias of the Chief of Police.

Wednesday, July 14, 2021, 10:54 PM UTC

Charlottesville pd needs a savior and I believe part of that would begin with what we can control, which is command staff within the department. Also Hatter's ego is too big to fit in the building, which is causing major problems within the patrol division itself. They all have to go but it would be nice to start with him for the sake of the department's backbone, patrol (we've had many officers leave or transfer bureaus just because of him).

Wednesday, July 14, 2021, 6:44 AM UTC

It's bad.

Monday, July 12, 2021, 4:33 PM UTC

Brackney and Mooney have to go. Simple as that. They are the destruction of the department.

Sunday, July 11, 2021, 9:22 PM UTC

Here are other areas of concern that I have:

- When I first came to this police department, this job was a calling. Protecting the good citizens of this city, putting away the bad people was what this job was all about. Recently I have not been doing my regular duties as it has been made clear that the higher uppers do not have our back.
- I was planning on being in this career until I was forced out due to age, however I have no desire to be here any longer than I need to be. I am looking to leave as soon as I can retire, not wanting to continue my career in law enforcement anywhere else.
- Chief Brackney's words have been very hurtful and disrespectful, using language such as calling us racist, sexist and misogynistic in a required departmental wide meeting that was recorded (according to Chief Brackney).
- An email came out months ago ordering patrol to no longer investigate drug cases, to send them directly to Investigations. This is counterproductive as our patrol officers have a better relationship with community members and can handle these types of cases more efficiently. This is just another example of making officers feel like they cannot do the job they were hired to do, protect the community.
- Crime in the city of Charlottesville has escalated dramatically over the past year and a half. Chief Brackney is not vested in this city, doesn't live in this city and has no ties here. She can walk away at any time, moving on to her next career and have no lasting effects of this. Meanwhile, the rest of us who cannot leave our jobs are going to have to clean up this mess.
- I have concerns about the Command Staff seeing the results of this survey, as they will retaliate due to the not favorable nature of my comments. While I know that the Command Staff will need to hear the results of this survey, I hope you all keep in mind that there could be some retaliation on the inside.

Saturday, July 10, 2021, 3:20 PM UTC

None

Friday, July 9, 2021, 9:08 PM UTC

Nope.

Friday, July 9, 2021, 8:58 PM UTC

Refer to my previous comments.

Friday, July 9, 2021, 8:52 PM UTC

The quickness to write someone up with no warning or conversation should end. We have gotten away from leaders having subordinates backs and having "man to man" conversations. This has created an environment of fear throughout the department. We have officers who have committed actual crimes against other officers, yet remain employed with a slap on the wrist. While other good leaders are severely reprimanded/fired.

Command staff has created a terrible working relationship with other jurisdictions such as ACPD and VSP. Removing things like JADE has negatively impacted the city as a whole. We can see this in the increase in shootings we're having.

Friday, July 9, 2021, 8:08 PM UTC

The current command staff, and particularly the chief of police, are widely viewed as self-serving individuals. The chief of police is widely viewed as untruthful - which is particularly alarming and a potential Brady issue.

Friday, July 9, 2021, 4:38 PM UTC

The command staff has been routinely twisting facts and policies to fit their own needs far too often. Until they begin to actually listen to officers and abide by their own rules and policies the department will continue this trajectory of a downward spiral. Leading through fear and intimidation for the last three years has done nothing but cause the department to lose numerous good officers, and ruin the lives of some officers simply for being disgruntled and unhappy with the direction the department is headed. These officers have attempted to speak about how the department could be made better, but their suggestions have always been routinely dismissed which led to them becoming more and more disgruntled.

The motto of CPD for the last three years among the officers has become "the beatings will continue until morale improves". Well the beatings have continued and morale continues to drop it is TIME FOR A CHANGE. Command staff often threatens that "The DOJ will come in and have to run this department if this continues". Well at this point the DOJ cannot cause morale to go any lower and maybe that isn't such a bad idea.

Friday, July 9, 2021, 3:28 PM UTC

The community is receptive of their officers. If the department could fix the internal issues and worked to improve relationships with outside agencies recruiting and retention would improve. CRB keeps getting filled with local anti-LEO activist and isn't controlled in any way by PD so....not sure how they gets any better.

Friday, July 9, 2021, 3:24 PM UTC

N/A

Friday, July 9, 2021, 3:07 PM UTC

I have worked at CPD for five years now and I have never seen moral so low. People are leaving left and right and applying other places. The only thing command staff cares about is their way or the highway. The city is becoming more violent and with this command staff and the way they are leading this organization, it's going to only get much worse.

Friday, July 9, 2021, 3:01 PM UTC

This department is a dumpster fire. Morale is shit. The chief and her command staff have no morals or ethics and are only looking out for themselves and worried about their retirement. We have a bunch if yes men in Lt., Captain and major positions.

Friday, July 9, 2021, 2:37 PM UTC

To quote a retiring Portland Oregon Detective which best describes the current situation at CPD. The only difference between CPD and the Titanic? "Deck chairs and a band."

Answered: 27 Unanswered: 37

EXHIBIT O

I have attached our complete survey for your review.

On Aug 21, 2021, at 8:09 PM, Hill, Heather <hhill@charlottesville.gov> wrote:

Mr. Wells,

Sincere apologies for the delay as I have been processing a lot of the information shared on multiple fronts as well as was traveling the back half of this week. I am back in town and happy to connect via phone or in person. Let me know what days/times of day may be best for you. I can carve out time for a phone call tomorrow if you would like to speak sooner rather than later.

Sincerely,
Heather Hill

Heather D. Hill | Councilor, City of Charlottesville | hhill@charlottesville.gov

From: Michael Wells <mwells@sspba.org>
Sent: Friday, August 20, 2021 12:58 AM
To: Hill, Heather <hhill@charlottesville.gov>
Subject: Re: PBA Meeting

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Ms. Hill,

I wanted to circle back with you regarding meeting with you. Please let me know your availability and if this is something you are still interested in doing.

Mike Wells

On August 11, 2021 10:06 PM Michael Wells <mwells@sspba.org> wrote:

Ms. Hill,

Thank you for your reply and interest in meeting with me. I look forward to sharing what I have learned about conditions at the CPD.

My email is: mwells@sspba.org

My cell phone number is: 540-241-1590

Thank you.

Mike Wells

From: Hill, Heather
Sent: Monday, August 23, 2021 7:58 AM
To: Michael Wells
Subject: Re: PBA Meeting

Tomorrow is much more flexible. I will have kids home until they start school on Wednesday so let's plan on Zoom. I can send a link over. Does 8:30 still work for you?

Heather D. Hill | City Councilor, Charlottesville | Sent from Mobile

From: Michael Wells <mwells@sspba.org>
Sent: Sunday, August 22, 2021, 1:11 PM
To: Hill, Heather
Subject: Re: PBA Meeting

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe. ******

Ms. Hill,

Do you have any time between 8:30 am until 12:00 noon on Monday or Tuesday? I could do in person, virtual, or over the phone.

Thank you.

Mike

PS.

I have attached our complete survey for your review.

On Aug 21, 2021, at 8:09 PM, Hill, Heather <hhill@charlottesville.gov> wrote:

Mr. Wells,

Sincere apologies for the delay as I have been processing a lot of the information shared on multiple fronts as well as was traveling the back half of this week. I am back in town and happy to connect via phone or in person. Let me know what days/times of day may be best for you. I

can carve out time for a phone call tomorrow if you would like to speak sooner rather than later.

Sincerely,
Heather Hill

Heather D. Hill | Councilor, City of Charlottesville | hhill@charlottesville.gov

From: Michael Wells <mwells@sspba.org>
Sent: Friday, August 20, 2021 12:58 AM
To: Hill, Heather <hhill@charlottesville.gov>
Subject: Re: PBA Meeting

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Ms. Hill,

I wanted to circle back with you regarding meeting with you. Please let me know your availability and if this is something you are still interested in doing.

Mike Wells

On August 11, 2021 10:06 PM Michael Wells <mwells@sspba.org> wrote:

Ms. Hill,

Thank you for your reply and interest in meeting with me. I look forward to sharing what I have learned about conditions at the CPD.

My email is: mwells@sspba.org

My cell phone number is: 540-241-1590

Thank you.

Mike Wells

From: mwells@sspba.org
Sent: Monday, August 23, 2021 10:19 AM
To: Hill, Heather
Subject: RE: PBA Meeting

WARNING: This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Hill,

Thank you. Yes. That will be fine.

Mike

From: Hill, Heather <hhill@charlottesville.gov>
Sent: Monday, August 23, 2021 7:58 AM
To: Michael Wells <mwells@sspba.org>
Subject: Re: PBA Meeting

Tomorrow is much more flexible. I will have kids home until they start school on Wednesday so let's plan on Zoom. I can send a link over. Does 8:30 still work for you?

Heather D. Hill | City Councilor, Charlottesville | Sent from Mobile

From: Michael Wells <mwells@sspba.org>
Sent: Sunday, August 22, 2021, 1:11 PM
To: Hill, Heather
Subject: Re: PBA Meeting

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe. ******

Ms. Hill,

Do you have any time between 8:30 am until 12:00 noon on Monday or Tuesday? I could do in person, virtual, or over the phone.

Thank you.

Mike

PS.

From: Hill, Heather
Sent: Monday, August 23, 2021 7:32 PM
To: mwells@sspba.org
Subject: Re: PBA Meeting

Mike,

I just sent a Zoom invite from my Google Calendar. Here is the information in the event you have issues with the calendar invite.

Sincerely,
Heather

Heather Hill is inviting you to a scheduled Zoom meeting.

Topic: Heather and Mike Re. CPD/PBA
Time: Aug 24, 2021 08:30 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us04web.zoom.us/j/71401554029?pwd=VmJEaXFIUDhWcENYVU9tNjloMU96Zz09>

Meeting ID: 714 0155 4029
Passcode: a33i5k

Heather D. Hill | Councilor, City of Charlottesville | hhill@charlottesville.gov

From: mwells@sspba.org <mwells@sspba.org>
Sent: Monday, August 23, 2021 10:19 AM
To: Hill, Heather <hhill@charlottesville.gov>
Subject: RE: PBA Meeting

WARNING: This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Hill,

Thank you. Yes. That will be fine.

Mike

From: Hill, Heather <hhill@charlottesville.gov>
Sent: Monday, August 23, 2021 7:58 AM

EXHIBIT P

Boyles, Chip

From:

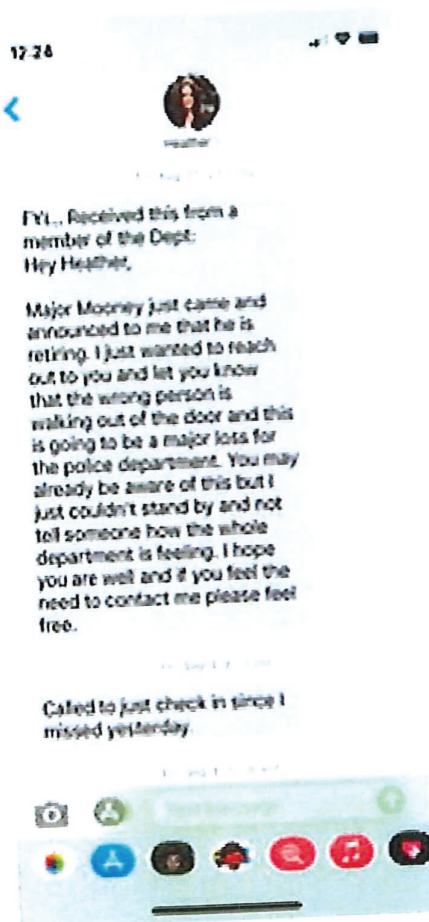
Boyles, Chip

Sent:

Wednesday, October 20, 2021 12:25 PM

To:

Boyles, Chip



Sent from my iPhone

EXHIBIT Q

85°
Charlottesville, VA

Home News Weather Closings and Delays Sports



3 Weather Alerts In Effect



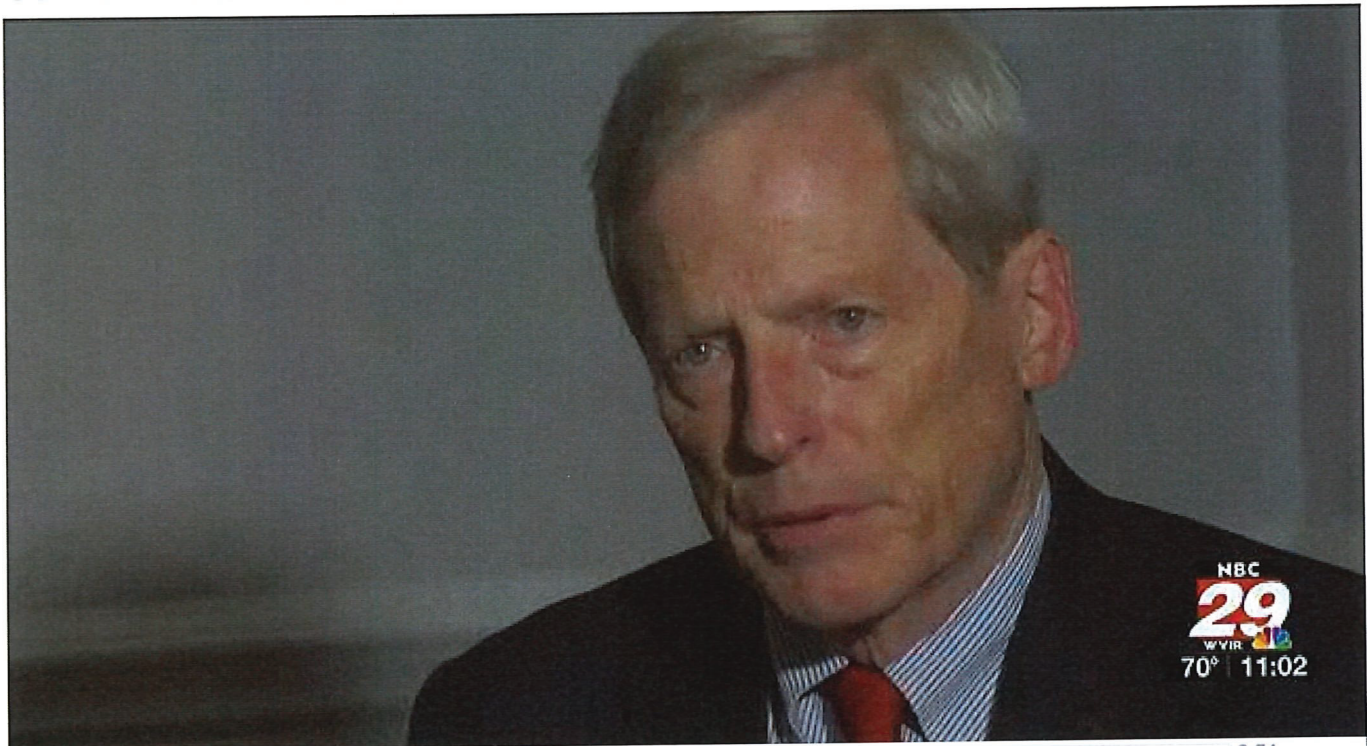
ADVERTISEMENT

Democrats Are Raising Concerns On Tech Antitrust Bills

Bills would ban, break, or degrade Amazon Prime, Facetime, Amazon Basics, and Google Maps in Search.

Sponsored By Chamber of Progress

'Impolite, Rude, and Insufferable': Charlottesville City Council hears criticism after firing of RaShall Brackney, councilors discuss decision



2:33

3:54

By [Max Marcilla](#)

Published: Sep. 7, 2021 at 10:41 PM EDT



CHARLOTTESVILLE, Va. (WVIR) - At Tuesday night's Charlottesville City Council meeting, there was an outpouring of frustration aimed at the city, members of its government, and city councilors, just six days after the decision to fire former Police Chief RaShall Brackney.

Citizens of Charlottesville begged for transparency, accountability, and answers. They don't know why Brackney was fired, and they were really angry that the meeting started *without* a space for councilmembers to discuss the firing -- some of whom would be doing so for the first time publicly.

Gloria Beard, an activist, said: "Y'all are the leaders. We want to look up to you, but I can't trust anybody anymore. I got this heavy heart like I did in 2017."

Jeff Fogel, an attorney, said: "We want answers. I wonder whether you recognize how impolite, rude, and insufferable you all are when you allow citizens to come to you with serious concerns and just stare at them."

ADVERTISEMENT

Melvin Burruss, an attorney, said: "All you're doing is what they always been doing, is hiding the truth."

Tanesha Hudson, an activist, said: "It's the same stuff over and over and over and over again. It's disgusting."

Katrina Turner, an activist, said: "Just what is going on with this city?"

Don Gathers, an activist, said: "The mayor ran 4 years ago on transparency, and that's what this community has been begging and pleading for for some time now. And we're regressing, we're heading in the wrong direction yet again."

ADVERTISEMENT

At the beginning of the meeting, Mayor Nikayah Walker asked for a vote to set up a time to talk about Brackney's termination. A second 'yes' vote was needed, but she did not get one.

Walker took the virtual microphone first, before any public commenter, and shared her thoughts.

"I would just like to thank Chief Brackney for her leadership and apologize on behalf of the city for a termination that has tarnished her reputation," Walker said.

Walker continued to praise Brackney for remaining authentic, and credited her for coming to Charlottesville after 2017 and "attempting to reform a police department that doesn't want reform."

ADVERTISEMENT

"I hope you continue to make this change somewhere in the world. I wish it was here," Walker said. "I hope that some community somewhere where people who have suffered the same plight gets to benefit."

While council never approved a formal discussion, (Councilor Lloyd Snook says he was concerned with the lack of ground rules), they all got their chance to chime in.

Councilor Michael Payne discussed the timing of the issue.

"At an absolute minimum the timing of this personnel decision has created a lot of doubt among community members' minds," he said.

ADVERTISEMENT

Payne also shared his desire to ensure reform continues within CPD.

Meanwhile, Councilors Lloyd Snook, Heather Hill, and Vice-Mayor Sena Magill offered their opinions on the move, all while emphasizing they did not tell City Manager Chip Boyles what to do.

"I believe that given all of the facts, many of which haven't been made public, many of which haven't even been hinted at in this discussion, I believe it was a good decision as well," Snook said.

"I feel that he talks to us, I feel he communicates with us, and fundamentally this is his decision and I am behind him on it, period," Magill said.

ADVERTISEMENT

Walker asked Hill if she's "been influencing this process," and Hill responded: "I have not influenced this process, I found out the same time as the rest of this council. Do I support this decision? I do."

Boyles did not address Brackney's firing at any time during the meeting.

Walker also shared a list of questions she has, including who approved the publication of the statement released on August 20 and what happened between the publication of that statement and the firing of Brackney. The August 20 statement refers to the city's unattributed response to the Police Benevolent Survey. ⓧ

Payne added that he wants to see specific plans to ensure reforms are not rolled back. He pointed to the work CPD has done with JADE, reporting data, and disciplinary action.

ADVERTISEMENT

Copyright 2021 WVIR. All rights reserved.

Do you have a story idea? Send us your news tip [here](#).

Around The Web

Research Psoriatic Arthritis Pain Treatments, Signs & Symptoms
Yahoo Search

Bowie Dental Implant Offers: See Prices
Dental Implant Ads

What Dental Implants Should Cost You In 2022
Dental Implants Ads

[Pics] American Missing Girl Found in Nicaraguan Orphanage
FreshEdits

The Most Powerful Hearing Aids of 2022
Ear Today

[Photos] Meet Nicolle Wallace's Partner
Btrending

[Photos] Sandra Bullock's Son Is All Grown Up & He Might Look Familiar To You
Golden Glimpse

When You Eat Oatmeal Every Day, This Is What Happens
GundryMD

Sponsored 5/5

EXHIBIT R

https://dailyprogress.com/news/local/crime-and-courts/charlottesville-terminates-police-chief-rashall-brackney/article_e6d07770-0b7b-11ec-82a0-175ad834dea2.html

TOP STORY URGENT

Charlottesville terminates Police Chief RaShall Brackney

TYLER HAMMEL

(434) 978-7268

Sep 1, 2021

After months of internal strife, Charlottesville has fired RaShall Brackney, chief of the Charlottesville Police Department.

According to a Wednesday news release, City Manager Chip Boyles exercised his right to terminate Brackney's employment contract upon 90 days' notice. Brackney, who was hired by the city in June 2018, will be on paid administrative release until Nov. 30.

"I am looking for a new leadership direction in the department and we will start the search for our next Chief immediately," said Boyles. "We wish Dr. Brackney all the best in her future endeavors."

Brackney's termination meets the not-for-cause criteria of her employment contract, meaning she will be entitled to 12 months' salary, 12 months' lump sum contribution to a city retirement plan and severance equal to six months' premium health insurance coverage, if she is on the city's COBRA health insurance.

As of July 2020, Brackney was making \$162,198.40, though it is likely she received a raise in 2021 along with the rest of the city's employees.

People are also reading...

1 **3 people killed, 1 critically injured in Portsmouth shooting**

- 2 **Waynesboro woman dies in US 29 crash**
- 3 **Dr. Petri has COVID-19 and reflects on his experience**
- 4 **Longtime CHS orchestra leader leaves legacy of excellence**

Assistant Chief of Police James Mooney, who was set to retire Wednesday, will remain in his position in an apparent reversal of decisions.

The announcement did little to clarify the reasons for either employment decision, but followed months of behind the scenes struggles that were brought to public attention when the Central Virginia Chapter of the Virginia Police Benevolent Association **released survey data** that indicated dissatisfaction among its members with the leadership of the city police department.

“The men and women of the Charlottesville City Police Department are hurting,” wrote Mike Wells, an Albemarle County detective and president of the PBA’s Central Virginia chapter, adding that the officers have lost faith in the department’s leadership.

In the 17-question survey, a majority of the 65 police employee respondents said they don’t feel supported by the department’s leadership and that they have considered other career options. Additionally, a majority said Brackney, in her role as a leader, makes them feel less secure in their careers and that they don’t believe she has the best interests of the department in mind.

The release of the survey was followed by a **lengthy unsigned release** from the city detailing, in part, Brackney’s efforts to reorganize the department and said the PBA’s survey and the release of its results occurred during “a difficult reorganization and the recent terminations of employment of members of the city’s SWAT Team.”

Breaking up the SWAT Team also was part of a broader effort to change CPD’s culture and how the department polices the city, according to the statement. Other efforts include severing ties with the Jefferson Area Drug Enforcement Task Force,

posting stop-and-frisk data, dissolving specialized units within the department and removing school resource officers from city school buildings.

“When Chief Brackney commenced her work, the climate and culture of CPD was embedded in traditional, procedural policing approaches that created an “us vs them” mentality — a warrior mentality — which had not embraced, trained, or espoused the concepts of 21st Century Policing demanded by the City’s diverse residents,” the city’s August release reads.

The city’s rebuttal to the PBA survey also mentioned an internal survey dispersed throughout the police department in August 2020. For the first time, more-complete results of that survey were provided by the city Wednesday evening and painted a similar picture of internal frustrations with leadership.

According to the city, CPD received approximately 85 responses, which “invited officers to submit comments containing personnel information regarding identifiable supervisors and staff.”

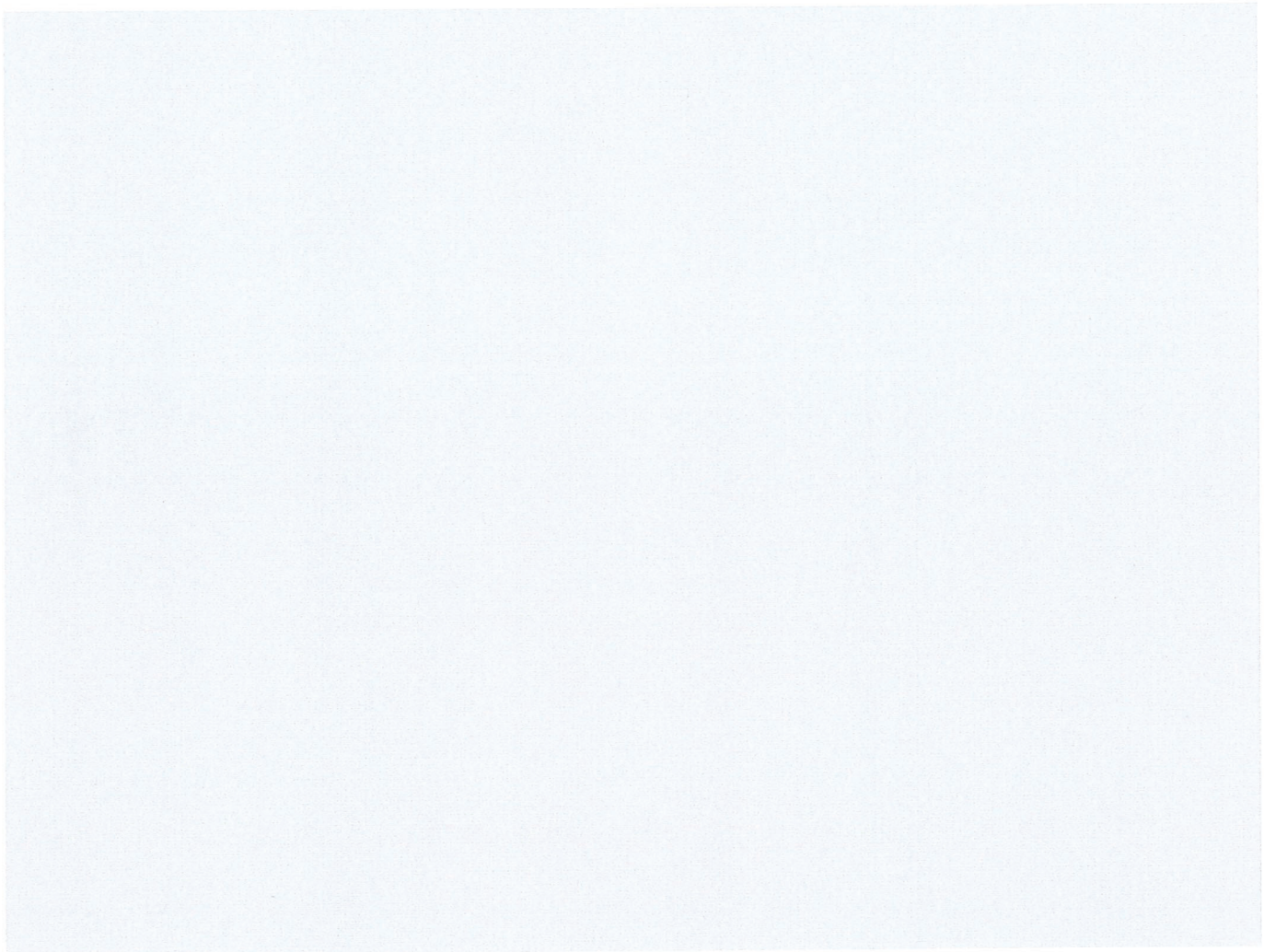
“Before command staff could sort through and analyze all the information, the city began receiving [Freedom of Information Act] requests for the forms,” the statement said. “A decision was made to maintain the confidentiality of the information provided regarding identifiable individuals, in order that the results could be considered and utilized in a productive manner.”

Most respondents to the city survey — which also contained 17 questions as well as area for additional comment — wrote that they did not feel they would be supported if a false allegation was made against them, indicated that they believed command staff takes problems personally and said that they are seeking employment elsewhere.

“Stop pandering to the complainers and mobs — we will never win them over,” one of the redacted responses reads. “Focus on us, the police officers, and the honest citizens, the silent majority.”

Other responses include criticisms about command staff “worrying about politics,” accuses leadership of “allowing protesters to run the street,” and calls for more robust training and transparent communication.

It remains to be seen what the future holds for the Charlottesville Police Department and Brackney, Mooney and Wells could not be reached for comment Wednesday evening.



Brackney

https://dailyprogress.com/news/local/govt-and-politics/boyles-comments-further-on-brackney-firing-in-op-ed/article_6b924b60-1805-11ec-9a30-4384370f5da0.html

ALERT TOP STORY

Boyles comments further on Brackney firing in op-ed

Ginny Bixby

Sep 17, 2021

Charlottesville City Manager Chip Boyles elaborated on his decision to fire Police Chief RaShall Brackney in an op-ed in The Daily Progress on Saturday, stating that in hindsight, he would have tried to work with Brackney first and include City Council in the process, but that time was of the essence. These are the first comments from Boyles about the decision outside city press releases.

“In hindsight, I would have engaged the City Council more directly in my deliberations and worked in partnership with Chief Brackney to develop an improvement plan. Fact is, I just did not have the luxury of time. I found the moment critical to act and felt the larger community would respect my intentions to guide our police department to a stable and evolving law enforcement outfit capable of making all residents safe, respected, and proud,” Boyles wrote.

People are also reading...

- 1 Guest cabins burn in National Park
- 2 ACPS equity leader to retire
- 3 Missing man's body found
- 4 Kihei Clark returning for a fifth year with Virginia men's basketball team

In the op-ed, Boyles says the decision was “not easy” and cites feeling the need to make a quick decision.

On Sept. 1, Boyles **exercised his right to terminate Brackney's employment contract** upon 90 days' notice. Brackney, who was hired by the city in June 2018, will be on paid administrative leave until Nov. 30. In a city statement released that day, Boyles said he was "looking for a new leadership direction in the department."

Boyles states in the op-ed that the results of an internal survey and a survey conducted by the Virginia Police Benevolent Association influenced his decision.

"Despite successes in modernizing the department, recent public statements made by the Virginia Police Benevolent Association brought to the public's attention two officer surveys assessing officers' opinions of the current state of leadership in the department. These surveys revealed substantial concerns of trust and confidence in the leadership," Boyles wrote.

"I found these concerns troubling, especially when factoring in the known strained relationships across government, community, religious and regional stakeholder groups. These relationships are critically important; and when internal and external strife are present, it is imperative to act."

This information seems to contradict assertions by some city councilors that Boyles said the surveys were unrelated to Brackney's termination.

In an interview last week with The Progress, Councilor Sena Magill said Boyles told councilors there were factors separate from the surveys that resulted in the decision.

"I do believe the city manager when he says the [Police Benevolent Association] survey didn't have anything to do with this decision and that there were other factors. And I'm not going to put him in a position to try to talk about something that we really shouldn't be talking about. There are a lot of laws regarding personnel. And I'm not a lawyer," Magill said.

Councilor Heather Hill also has suggested the surveys were not related to Brackney's dismissal.

“I certainly hear those concerns and see how the public can see it that way, but I certainly have confidence that those things were not directly linked, and that there are a broader range” of issues, Hill said during the Sept. 7 City Council meeting.

Boyles suggests in the op-ed that he chose to fire Brackney in order to prevent other department leaders from resigning.

“... as your city manager, I took decisive action to prevent key leadership positions — which were in jeopardy of becoming vacant — from erupting into deeper divides within the department,” Boyles wrote.

Boyles commended Brackney for her work toward racial equity, but said leadership was a concern.

“While great strides were made during Chief Brackney’s time with the department in areas of racial equity and addressing officer conduct, many of these changes came about at the expense of leadership mistrust among many of the officers we depend on to protect and serve our city. A well-functioning modern police force requires confidence, proactive communications and leadership to meet the demands and commitment to equitable policing.” Boyles wrote.

“I took what I consider a calculated risk to hit the reset button quickly so we could find the next chief, who could not only build atop the contributions led by Chief Brackney but also establish strong community bonds to support our 21st-century policing priorities in Charlottesville.”

At the Sept. 7 council meeting, Boyles did not address Brackney’s firing when it was brought up by Mayor Nikuyah Walker. **Walker withdrew from the City Council election the following day, partly citing the behavior of Boyles and her fellow councilors during the meeting.**

Walker was critical of Boyles’ decision and **apologized for Brackney’s firing on behalf of the city** during the meeting.

“ ... To take what doesn’t seem like much information and terminate [Brackney] in this very public way ... that is shameful,” Walker said.

Walker also called out Boyles and councilors for their unwillingness to discuss the issue during the meeting.

Councilors Hill, Magill and Lloyd Snook all have publicly stated **they were advised in closed session not to speak publicly about the decision** because it is a private personnel matter and there could be legal repercussions. Last week, city spokesman Brian Wheeler said he and Boyles could not confirm or comment on this or other matters discussed within closed session.

Dozens of community members spoke against the decision during the meeting, asking for greater transparency from Boyles and councilors.

Boyles will have the chance to address questions Walker asked during the meeting about Brackney’s dismissal during the City Manager’s Response to Councilors portion of Monday’s council meeting.

Boyles could not be reached for additional comment by press time.



Boyles

Editorial: Plantation
mentality now rule...



Peggy Zahner

You phrased it so well,
"Welcome to Tara."...



Top Comment



5

UVa police to
ban of Kessle



Don Neu

A \$26 million a
tells the public



Top Comment

By Ginny Bixby

EXHIBIT S

8/26/21

#05

Chief,

I appreciate the input from you, from Major Mooney and from Lt. Newberry on Monday.

I know that we don't all agree on how best to move forward, but by the end of the meeting, I felt that we were beginning to develop a plan.

I continue to see our current situation in the Police Department as two separate issues. I understand that they are indirectly linked, but I feel should be considered as two separate courses of action.

1. The discipline of the three officers.

I strongly support the actions taken for these three. Whether criminal activity occurred, whether other officers have been treated differently, whether they have new families, etc., the actions shown in the videos and in the texts are not "silly" and no just "boys will be boys". I would be glad to state anytime this support of these actions.

Our community, our council and our city have stated clearly that we want a new way of policing that has no tolerance for XXXXXXXXXXXXXXXXXXXX

Leadership that identifies and disciplines this behavior is mandatory.

As said I am willing to state this support of the CMO toward changing the department through accountability. I am not willing to extend this discussion with additional videos or talking points about these three cases. We can not control the narrative, no matter how false, given by others, but we can control our own. I do not see this issue gaining traction as much as the PBA would like it to. We should not perpetuate it and I won't.

2. What I am most concerned with is the condition and the future of the Police Department and all of its officers. Both surveys, whether scientific or whether fairly administered show major concerns within the department. Trust in the command stand and individual supervisors are clearly a concern for the officers. We do not have the luxury of tearing this department down and building it back from scratch. It has to be rebuilt while continuing to serve the community.

What I am missing seeing right now is a plan to first identify and acknowledge the deficiencies, then to develop a written plan of action for corrections. There is ample evidence from the two surveys of starting places for some changes but with well thought out strategies for long term corrections.

My question to you is do you have a plan or can you develop a written plan to begin either answering or addressing concerns raised in these surveys. The ones that can be addressed. Not ones that are "I don't like or I don't trust someone", but ones of how to retain and recruit officers that believe in the CPD's philosophy of policing; build trust between command staff and officers, build trust/communication with CMO; flexibility in assignments, uniforms, etc. I am not a police officer so I don't know what is reasonable and what is not, officers and command staff have to develop, working together.

To help the CPD move forward, I have to have a plan of action that we can all agree on.

I also need to know your intentions for serving as police chief. You came here under impossible conditions, have never been able to move out from under the scrutiny and have been handed a near impossible task of changing the police culture under these circumstances. I try to understand how difficult it has been, I know that I can not fully understand, but at the end of the day the department has to move forward and I don't see that occurring at this time. As I work for the long term, and I know that it is a long term effort, knowing your personal intentions is necessary. If it is your best interest to move on, I want to help, if you want to lead the solution here, I want to help, but how we have been going about it isn't working so we have to have an agreed upon plan of action to begin working toward.

I am struggling the most with a leadership staff that is doing the right things to help reduce racism, reduce unfair treatment, XXXXXXXXXXXX but at the same time, developing a department in complete disarray and creating public concern. You as the Chief has to figure out how to move the department to a better place, we as City Hall can help you if we are all in agreement of that plan.

9.1.21

2:30 Met w/ Chief. Signed
Termination letter, she
stated that she would
not resign. I was not asking
her to but would accept it
and would allow her to
keep severance benefits as
per her employment agreement.

Very upset, but professional.
Accused me of male white
privilege to maintain status
quo. of Department by possibly
bringing me back as Acting
Chief.

Ongoing changes at the Charlottesville Police Department recently brought to my and the public's attention two officer surveys assessing officers' opinions of the current state of leadership at the Department. Both surveys identified substantial concerns of trust and confidence in the Command Staff of the department. Upon further review, I found that these concerns extended beyond the officers into community and regional stakeholders. As discussions were held to identify more specific areas of concerns, I found that key leadership positions were in jeopardy of becoming vacant leaving a gap between the Chief's Office and the already troubled department officers. While great positive strides have been made during Chief Brackney's time with the department in areas of racial equity and officer conduct, many of these changes came about at the expense of officer morale and departmental trust. A well-functioning modern police force must have both to fully function.

The Charlottesville Police Department is like many other police departments across the country experiencing low morale, high turnovers, and low recruitment. I determined that CPD not only was experiencing these effects but did not have a clear plan to begin to address and meet the needs of both officers and the community. Relationships with officers, with command staff and with area stakeholders have reached a point of major change to rebuild. It is for these reasons that I too no longer had confidence in the department leadership as it was currently headed and found that immediate change was required to meet goals of a department committed to equity, fairness, accountability and transparency while building the relationships and development of our officers and our community partners.

It is for these reasons that I determined it necessary to make the leadership changes at the Police Department and do so quickly so that we can immediately begin our efforts to rebuild the department to a place that protects and serves our community in a way that serves ALL people in an open, fair and equitable manner.

*I am limited the personnel
information that I can
share.*

8/26/21

"staying the course"

Command
Advisory
Board

Chief, I want to be up front in my support of you and the department and the officers of the department.

I am supportive of the discipline of the three officers. The actions shown on video and text are not what we are looking for in officers who are fair, unbiased, etc. As we find out about such behavior, we have to work hard to correct it when we can and to separate ourselves from it when necessary. You and your command staff have done just that.

I support the officers of which almost all are doing the right thing all day every day. They are asked to do the impossible day in and day out and keep meeting that goal over and over. I read the daily call log every single morning and see what these officers do and go through to serve our community.

I know that they are working from a very limited budget and more needs to be done to improve that from the City Leadership. Because of limited budgets, City Leadership needs to be clear what their priorities are for CPD.

What I have concerns with and have to ^{have concerns of} withhold support is the direction of the department. While we are making great strides in moving the department toward better fairness, transparency, racial, diversity and equitable understanding, and the dismantling of outdated policing practices, there have been many other problems and concerns within the department. Dismantling of SWAT and JADE are examples of bold positive moves. But, The two surveys before us have identified many areas of concern by the officers and I have witnessed demanding and uncompromising positions by police leadership in interactions with peer leaders and with public engagement. This is where the real work or change is needed.

A written plan of action identifying long and short range strategies to improve working and departmental and leadership conditions is required to clearly show city leadership and police officers what is being done to address the priority areas identified in the two surveys and other areas of concern maybe not identified in the officer surveys. Examples could be Ability for flexibility and compromise as well as Concepts for bringing mental health responses to calls when appropriate.

Do we need outside assessment
and recommendation?

I HAVE TO
LEAVE TO BE
MORE DIRECT

I do not want an escalation of the discussion between the PBA, PCRb and CPD over the discipline of the officers. I do not want videos to be shared unless mandated nor do I want the City to share details of the discipline. These are subject to additional grievances and therefore legal action as well. We do not need to share information that may later be used against us. We also do not want to give reasons for PBA to share recordings that they have. They can do that on their own, not as responses to our details.

^{DO} I want to be able to show my support for the department and our officers. They work hard work and take on so much with so little resources. I want to support them through actions to address their concerns as shown in the two surveys no matter how unscientific or biased that the surveys may be. There are clearly problems identified that should be addressed. This can be done with a written plan of action to be approved by CMO in next week or two.

Chief, my larger question knowing this, is this department where you want to be? I know you have applied in Dallas, I am guessing other places. I know without a doubt that you will make a great chief in many places, I am just ^{convinced} not sure that this community will allow you to be a great chief here. They never gave you a chance from day one and you came in to an impossible situation and given a nearly impossible vision to meet. If you are wanting to be somewhere else, I will help every way I can. You mentioned on Monday you may need to resign as members of the meeting believed in a different direction for addressing the public. If that is a direction that would help, I would support making that beneficial to you. If you want to continue your efforts here, I will try to work with you for a ^{NOT} action plan to change the department to retain and recruit officers and build their commitment back to the department and work on ways to better engage the public, council and CMO. But, I can let the current conditions in the department go only so far before some action has to be taken.

I have not expressed this detail to any of council as I wanted to discuss with you first. And no one on Council has attempted to direct and decision by me.

Do we need outside assessment
& recommendations?

Do you feel Dept is in crisis?

Action
Next step
FROM
ME!

Ever
Sullivan
May

EXHIBIT T

From: RaShall Brackney-Wheelock
Sent: Tuesday, March 8, 2022 10:34 PM
To: Charles Tucker, Jr; Megan Betts
Subject: Fwd: Councilor (Mayor) Lloyd Snook

FYI

----- Forwarded message -----
From: FOIA <foia@charlottesville.gov>
Date: Tue, Mar 8, 2022 at 10:26 AM
Subject: Re: Councilor (Mayor) Lloyd Snook
To: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

Good Morning Dr. Brackney,

Regarding this request, the City does not have any responsive documents in its possession.

Best Regards,

Teresa Pollak
FOIA Officer
City of Charlottesville
605 E. Main St.
Charlottesville, VA 22902
434-970-3104
foia@charlottesville.gov
www.charlottesville.gov/foia

From: FOIA <foia@charlottesville.gov>
Sent: Monday, February 28, 2022 1:28 PM
To: 'RaShall Brackney-Wheelock' <rmbst127@mail.rmu.edu>
Subject: RE: Councilor (Mayor) Lloyd Snook

Pursuant to Virginia Code §2.2-3704(B)(4), it is not practically possible for the City of Charlottesville to provide the records you have requested by today's deadline due to the necessity of additional records search and compilation. Therefore, the City of Charlottesville will provide the requested records within seven working days of this response, or by March 10, 2022.

Thank you,

Teresa Pollak
FOIA Officer

City of Charlottesville
605 E. Main St.
Charlottesville, VA 22902
434-970-3104

foia@charlottesville.gov

www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
Sent: Thursday, February 17, 2022 7:58 PM
To: FOIA <foia@charlottesville.gov>
Subject: Councilor (Mayor) Lloyd Snook

WARNING: This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please provide all records, notes, text messages, emails and other written documents related to Lloyd Snooks' public statements regarding Chief Brackney.

"Even Black women officers were leaving," he said. "There were her hand-picked people who were leaving."

<https://www.cbs19news.com/story/44897468/snook-explains-support-for-brackneys-firing-as-police-chief>

If the cost to produce the records exceeds 50.00 dollars, please provide a detailed explanation of those costs prior to proceeding.

All the best,

Dr. Brackney

--

RaShall M. Brackney-Wheelock, Ph.D.

--

RaShall M. Brackney, Ph.D.
Distinguished Visiting Professor of Practice
George Mason University

EXHIBIT U

11/17/21, 12:04 PM

Mail - FOIA - Outlook

Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

FOIA <foia@charlottesville.gov>

Tue 10/5/2021 12:30 PM

To: rmbst127@mail.rmu.edu <rmbst127@mail.rmu.edu>

The records responsive to your request are attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER**FOIA Officer & Director of Communications**

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: noreply@civicplus.com <noreply@civicplus.com>**Sent:** Saturday, September 18, 2021 7:34 AM**To:** FOIA <foia@charlottesville.gov>; Wheeler, Brian <wheelerb@charlottesville.gov>**Subject:** Online Form Submittal: Email Contact Form for ALL City FOIA Requests**Email Contact Form for ALL City FOIA Requests**

Please complete the online form below to submit your message.

Contact Information**Name:** RaShall Brackney**Address:** [REDACTED]**City:** Charlottesville**State:** VA**Zip:** 22911**Home Phone Number:** [REDACTED]**Daytime Phone Number:** *Field not completed.***Email Address:** rmbst127@mail.rmu.edu

11/17/21, 12:04 PM

Mail - FOIA - Outlook

Enter the details of your
FOIA request here

Per FOIA, I am requesting all of Chip Boyles' records to include emails, text messages, and notes from any interviews conducted with CPD personnel referencing the PBA and/or CPD's surveys, or Chief Brackney. To include the interviews of the "good" officers Chip Boyles indicated were going to immediately leave due to Chief Brackney's leadership.

Email not displaying correctly? [View it in your browser.](#)

EXHIBIT V

10/18/2021



RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

12 messages

Tue, Oct 5, 2021 at 12:31 PM

FOIA <foia@charlottesville.gov>
 To: "rmbst127@mail.rmu.edu" <rmbst127@mail.rmu.edu>

The records responsive to your request are attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville
 605 E. Main St.
 Charlottesville, VA 22902
 434-970-3129
 foia@charlottesville.gov
 www.charlottesville.gov/foia

From: noreply@civicplus.com <noreply@civicplus.com>
 Sent: Saturday, September 18, 2021 7:40 AM
 To: FOIA <foia@charlottesville.gov>; Wheeler, Brian <wheelerb@charlottesville.gov>
 Subject: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

Email Contact Form for ALL City FOIA Requests

Please complete the online form below to submit your message.

Contact Information

Name: RaShall Brackney

Address:

City: Charlottesville

State: VA

Zip: 22911

Home Phone Number:

Daytime Phone Number: Field not completed.

Email Address: rmbst127@mail.rmu.edu

10/18/2021

Enter the details of your
FOIA request here

Per FOIA, I am requesting all records including the documents read by Chip Boyles' during his meetings with Chief Brackney on August 26, 2021, and September 1, 2021, and his briefing to Council on September 7, 2021, referencing the termination of Chief R. Brackney's employment contract.

Email not displaying correctly? View it in your browser.

 **20210918-Brackney_RaShall #05.pdf**
317K

Tue, Oct 5, 2021 at 1:16 PM

RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
To: FOIA <foia@charlottesville.gov>

Mr. Wheeler,
You did not respond to my request for the notes from Mr. Boyles meetings with me on August 26, 2021 or September 1, 2021. Are you claiming an exemption or that no records exist from those meetings?
Dr. Brackney

On Tue, Oct 5, 2021 at 12:31 PM FOIA <foia@charlottesville.gov> wrote:
The records responsive to your request are attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: noreply@civicplus.com <noreply@civicplus.com>

Sent: Saturday, September 18, 2021 7:40 AM

To: FOIA <foia@charlottesville.gov>; Wheeler, Brian <wheelerb@charlottesville.gov>

Subject: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

Email Contact Form for ALL City FOIA Requests

Please complete the online form below to submit your message.

Contact Information

Name:

RaShall Brackney

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

10/18/2021

Address: [REDACTED]
 City: Charlottesville
 State: VA
 Zip: 22911
 Home Phone Number: [REDACTED]
 Daytime Phone Number: *Field not completed.*
 Email Address: rmbst127@mail.rmu.edu
 Enter the details of your FOIA request here Per FOIA, I am requesting all records including the documents read by Chip Boyles' during his meetings with Chief Brackney on August 26, 2021, and September 1, 2021, and his briefing to Council on September 7, 2021, referencing the termination of Chief R. Brackney's employment contract.

Email not displaying correctly? View it in your browser.

RaShall M. Brackney-Wheelock, Ph.D.

Wed, Oct 6, 2021 at 11:33 AM

FOIA <foia@charlottesville.gov>
 To: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

One additional record has been submitted to me to provide as responsive and it is attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER**FOIA Officer & Director of Communications**

City of Charlottesville
 605 E. Main St.
 Charlottesville, VA 22902
 434-970-3129
 foia@charlottesville.gov
 www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
Sent: Tuesday, October 5, 2021 1:16 PM
To: FOIA <foia@charlottesville.gov>
Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Mr. Wheeler,
 You did not respond to my request for the notes from Mr. Boyles meetings with me on August 26, 2021 or September 1, 2021. Are you claiming an exemption or that no records exist from those meetings?

10/18/2021

Dr. Brackney

On Tue, Oct 5, 2021 at 12:31 PM FOIA <foia@charlottesville.gov> wrote:

The records responsive to your request are attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER**FOIA Officer & Director of Communications**

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: noreply@civicplus.com <noreply@civicplus.com>

Sent: Saturday, September 18, 2021 7:40 AM

To: FOIA <foia@charlottesville.gov>; Wheeler, Brian <wheelerb@charlottesville.gov>

Subject: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

Email Contact Form for ALL City FOIA Requests

Please complete the online form below to submit your message.

Contact Information

Name: RaShall Brackney

Address: [REDACTED]

City: Charlottesville

State: VA

Zip: 22911

Home Phone Number: [REDACTED]

Daytime Phone Number: Field not completed.

Email Address: rmbst127@mail.rmu.edu

Enter the details of your
FOIA request here

Per FOIA, I am requesting all records including the documents read by Chip Boyles' during his meetings with Chief Brackney on August 26, 2021, and September 1, 2021, and his briefing to Council on September 7, 2021, referencing the termination of Chief R. Brackney's employment contract.

10/18/2021

Email not displaying correctly? View it in your browser.

RaShall M. Brackney-Wheelock, Ph.D.

 **20210918-Brackney_RaShall #05-addition1.pdf**
42K

RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
To: FOIA <foia@charlottesville.gov>

Wed, Oct 6, 2021 at 11:44 AM

Mr. Wheeler,
Is the City claiming a personnel exemption for the attached as it indicates I was the one speaking? So, in other words, I am the personnel referenced. I asked for my personnel records and the City has not included this note in my records. I want the unredacted version.
Also, Mr. Boyles was reading from a script during our August 26, 2021, meeting. I specifically asked him to check his notes to determine if he had covered every point. Where is that script, or is the City claiming that record does not exist?
Dr. Brackney

On Wed, Oct 6, 2021 at 11:33 AM FOIA <foia@charlottesville.gov> wrote:

One additional record has been submitted to me to provide as responsive and it is attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER**FOIA Officer & Director of Communications**

City of Charlottesville
605 E. Main St.
Charlottesville, VA 22902
434-970-3129
foia@charlottesville.gov
www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

Sent: Tuesday, October 5, 2021 1:16 PM

To: FOIA <foia@charlottesville.gov>

Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Mr. Wheeler,
You did not respond to my request for the notes from Mr. Boyles meetings with me on August 26, 2021 or September 1, 2021. Are you claiming an exemption or that no records exist from those meetings?
Dr. Brackney

On Tue, Oct 5, 2021 at 12:31 PM FOIA <foia@charlottesville.gov> wrote:

The records responsive to your request are attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

10/18/2021

Brian Wheeler

BRIAN WHEELER**FOIA Officer & Director of Communications**

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: noreply@civicplus.com <noreply@civicplus.com>**Sent:** Saturday, September 18, 2021 7:40 AM**To:** FOIA <foia@charlottesville.gov>; Wheeler, Brian <wheelerb@charlottesville.gov>**Subject:** Online Form Submittal: Email Contact Form for ALL City FOIA Requests

Email Contact Form for ALL City FOIA Requests

Please complete the online form below to submit your message.

Contact Information

Name: RaShall Brackney**Address:** [REDACTED]**City:** Charlottesville**State:** VA**Zip:** 22911**Home Phone Number:** [REDACTED]**Daytime Phone Number:** *Field not completed.***Email Address:** rmbst127@mail.rmu.eduEnter the details of your
FOIA request here

Per FOIA, I am requesting all records including the documents read by Chip Boyles' during his meetings with Chief Brackney on August 26, 2021, and September 1, 2021, and his briefing to Council on September 7, 2021, referencing the termination of Chief R. Brackney's employment contract.

Email not displaying correctly? View it in your browser.

RaShall M. Brackney-Wheelock, Ph.D.

RaShall M. Brackney-Wheelock, Ph.D.

10/18/2021

Wed, Oct 6, 2021 at 11:49 AM

FOIA <foia@charlottesville.gov>
To: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

I'll share these questions with the City Manager and City Attorney.

Brian

BRIAN WHEELER
FOIA Officer & Director of Communications
City of Charlottesville
605 E. Main St.
Charlottesville, VA 22902
434-970-3129
foia@charlottesville.gov
www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
Sent: Wednesday, October 6, 2021 11:44 AM
To: FOIA <foia@charlottesville.gov>
Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Mr. Wheeler,
Is the City claiming a personnel exemption for the attached as it indicates I was the one speaking? So, in other words, I am the personnel referenced. I asked for my personnel records and the City has not included this note in my records. I want the unredacted version.
Also, Mr. Boyles was reading from a script during our August 26, 2021, meeting. I specifically asked him to check his notes to determine if he had covered every point. Where is that script, or is the City claiming that record does not exist?
Dr. Brackney

On Wed, Oct 6, 2021 at 11:33 AM FOIA <foia@charlottesville.gov> wrote:
One additional record has been submitted to me to provide as responsive and it is attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER
FOIA Officer & Director of Communications
City of Charlottesville
605 E. Main St.
Charlottesville, VA 22902
434-970-3129
foia@charlottesville.gov
www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
Sent: Tuesday, October 5, 2021 1:16 PM

10/18/2021

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

To: FOIA <foia@charlottesville.gov>**Subject:** Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Mr. Wheeler,

You did not respond to my request for the notes from Mr. Boyles meetings with me on August 26, 2021 or September 1, 2021. Are you claiming an exemption or that no records exist from those meetings?

Dr. Brackney

On Tue, Oct 5, 2021 at 12:31 PM FOIA <foia@charlottesville.gov> wrote:

The records responsive to your request are attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER**FOIA Officer & Director of Communications**

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: noreply@civicplus.com <noreply@civicplus.com>**Sent:** Saturday, September 18, 2021 7:40 AM**To:** FOIA <foia@charlottesville.gov>; Wheeler, Brian <wheelerb@charlottesville.gov>**Subject:** Online Form Submittal: Email Contact Form for ALL City FOIA Requests

Email Contact Form for ALL City FOIA Requests

Please complete the online form below to submit your message.

Contact Information

Name: RaShall Brackney

Address: [REDACTED]

City: Charlottesville

State: VA

Zip: 22911

Home Phone Number: [REDACTED]

Daytime Phone Number: Field not completed.

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

10/18/2021

Email Address: rmbst127@mail.rmu.edu

Enter the details of your FOIA request here

Per FOIA, I am requesting all records including the documents read by Chip Boyles' during his meetings with Chief Brackney on August 26, 2021, and September 1, 2021, and his briefing to Council on September 7, 2021, referencing the termination of Chief R. Brackney's employment contract.

Email not displaying correctly? View it in your browser.

--
RaShall M. Brackney-Wheelock, Ph.D.--
RaShall M. Brackney-Wheelock, Ph.D.

Wed, Oct 13, 2021 at 5:02 PM

FOIA <foia@charlottesville.gov>

To: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

I met with Chip and Lisa today. Attached is an additional record provided by Chip ("the script") for August 26.

We made a mistake sending you the redacted September 1 notes. The unredacted version is attached.

I believe that addresses the two outstanding questions for this request.

Brian Wheeler

BRIAN WHEELER**FOIA Officer & Director of Communications**

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>**Sent:** Wednesday, October 6, 2021 11:44 AM**To:** FOIA <foia@charlottesville.gov>**Subject:** Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Mr. Wheeler,
Is the City claiming a personnel exemption for the attached as it indicates I was the one speaking? So, in other words, I am the personnel referenced. I asked for my personnel records and the City has not included this note in my records. I want the unredacted version.
Also, Mr. Boyles was reading from a script during our August 26, 2021, meeting. I specifically asked him to check his notes to determine if he had covered every point. Where is that script, or is the City claiming that record does not exist?
Dr. Brackney

On Wed, Oct 6, 2021 at 11:33 AM FOIA <foia@charlottesville.gov> wrote:

10/18/2021

One additional record has been submitted to me to provide as responsive and it is attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville
605 E. Main St.
Charlottesville, VA 22902
434-970-3129
foia@charlottesville.gov
www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
Sent: Tuesday, October 5, 2021 1:16 PM
To: FOIA <foia@charlottesville.gov>
Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Mr. Wheeler,
You did not respond to my request for the notes from Mr. Boyles meetings with me on August 26, 2021 or September 1, 2021. Are you claiming an exemption or that no records exist from those meetings?
Dr. Brackney

On Tue, Oct 5, 2021 at 12:31 PM FOIA <foia@charlottesville.gov> wrote:
The records responsive to your request are attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville
605 E. Main St.
Charlottesville, VA 22902
434-970-3129
foia@charlottesville.gov
www.charlottesville.gov/foia

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Saturday, September 18, 2021 7:40 AM
To: FOIA <foia@charlottesville.gov>; Wheeler, Brian <wheelerb@charlottesville.gov>
Subject: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

10/18/2021

Email Contact Form for ALL City FOIA Requests

Please complete the online form below to submit your message.

Contact Information

Name: RaShall Brackney

Address: [REDACTED]

City: Charlottesville

State: VA

Zip: 22911

Home Phone Number: [REDACTED]

Daytime Phone Number: Field not completed.

Email Address: rmbst127@mail.rmu.edu

Enter the details of your
FOIA request here

Per FOIA, I am requesting all records including the documents read by Chip Boyles' during his meetings with Chief Brackney on August 26, 2021, and September 1, 2021, and his briefing to Council on September 7, 2021, referencing the termination of Chief R. Brackney's employment contract.

Email not displaying correctly? View it in your browser.

RaShall M. Brackney-Wheelock, Ph.D.

RaShall M. Brackney-Wheelock, Ph.D.

 20211013165939988.pdf
482K

RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
To: FOIA <foia@charlottesville.gov>

Thu, Oct 14, 2021 at 2:50 PM

Mr Wheeler,

Based on the attached record(script) and your consulting with Lisa and Chip, pursuant to FOIA, I am requesting all records to include drafts, emails and notes utilized to produce this document/record.
I am also requesting yours, Lisa Robertson's and Chip Boyles' properties logs associated with the creation, and editing of the document (script) provided. For example, when you hover over the document, it will give you "properties" as an option. I want the General tab logs associated with the script, security tab logs, details tab logs and previous versions tab logs associated with the script provided.
As usual, if the amount to produce these documents exceeds 50.00 please notify me, and provide an itemized cost estimate.

On Wed, Oct 13, 2021 at 5:02 PM FOIA <foia@charlottesville.gov> wrote:

I met with Chip and Lisa today. Attached is an additional record provided by Chip ("the script") for August 26.

10/18/2021

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

We made a mistake sending you the redacted September 1 notes. The unredacted version is attached.

I believe that addresses the two outstanding questions for this request.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

Sent: Wednesday, October 6, 2021 11:44 AM

To: FOIA <foia@charlottesville.gov>

Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Mr. Wheeler,

Is the City claiming a personnel exemption for the attached as it indicates I was the one speaking? So, in other words, I am the personnel referenced. I asked for my personnel records and the City has not included this note in my records. I want the unredacted version.

Also, Mr. Boyles was reading from a script during our August 26, 2021, meeting. I specifically asked him to check his notes to determine if he had covered every point. Where is that script, or is the City claiming that record does not exist? Dr. Brackney

On Wed, Oct 6, 2021 at 11:33 AM FOIA <foia@charlottesville.gov> wrote:

One additional record has been submitted to me to provide as responsive and it is attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

10/18/2021

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>**Sent:** Tuesday, October 5, 2021 1:16 PM**To:** FOIA <foia@charlottesville.gov>**Subject:** Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Mr. Wheeler,

You did not respond to my request for the notes from Mr. Boyles meetings with me on August 26, 2021 or September 1, 2021. Are you claiming an exemption or that no records exist from those meetings?

Dr. Brackney

On Tue, Oct 5, 2021 at 12:31 PM FOIA <foia@charlottesville.gov> wrote:

The records responsive to your request are attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER**FOIA Officer & Director of Communications**

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: noreply@civicplus.com <noreply@civicplus.com>**Sent:** Saturday, September 18, 2021 7:40 AM**To:** FOIA <foia@charlottesville.gov>; Wheeler, Brian <wheelerb@charlottesville.gov>**Subject:** Online Form Submittal: Email Contact Form for ALL City FOIA Requests

Email Contact Form for ALL City FOIA Requests

Please complete the online form below to submit your message.

Contact Information

Name: RaShall Brackney

Address:

City: Charlottesville

State: VA

Zip: 22911

Home Phone Number:

10/18/2021

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

Daytime Phone Number: *Field not completed.*

Email Address: rmbst127@mail.rmu.edu

Enter the details of your
FOIA request here

Per FOIA, I am requesting all records including the documents read by Chip Boyles' during his meetings with Chief Brackney on August 26, 2021, and September 1, 2021, and his briefing to Council on September 7, 2021, referencing the termination of Chief R. Brackney's employment contract.

Email not displaying correctly? View it in your browser.

--
RaShall M. Brackney-Wheelock, Ph.D.--
RaShall M. Brackney-Wheelock, Ph.D.--
RaShall M. Brackney-Wheelock, Ph.D.

FOIA <foia@charlottesville.gov>

Thu, Oct 14, 2021 at 3:03 PM

To: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

I will treat this as a new FOIA request for Chip Boyles and/or Lisa Robertson to share the properties information for the original "script" file. I do not have the original file in my possession, so I have no records responsive to this request.

Brian Wheeler

BRIAN WHEELER**FOIA Officer & Director of Communications**

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>**Sent:** Thursday, October 14, 2021 2:50 PM**To:** FOIA <foia@charlottesville.gov>**Subject:** Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Mr Wheeler,

Based on the attached record(script) and your consulting with Lisa and Chip, pursuant to FOIA, I am requesting all records to include drafts, emails and notes utilized to produce this document/record.

I am also requesting yours, Lisa Robertson's and Chip Boyles' properties logs associated with the creation, and editing of the document (script) provided. For example, when you hover over the document, it will give you "properties" as an option. I want the General tab logs associated with the script, security tab logs, details tab logs and previous versions tab logs associated with the script provided.

As usual, if the amount to produce these documents exceeds 50.00 please notify me, and provide an itemized cost estimate.

10/18/2021

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

On Wed, Oct 13, 2021 at 5:02 PM FOIA <foia@charlottesville.gov> wrote:

I met with Chip and Lisa today. Attached is an additional record provided by Chip ("the script") for August 26.

We made a mistake sending you the redacted September 1 notes. The unredacted version is attached.

I believe that addresses the two outstanding questions for this request.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

Sent: Wednesday, October 6, 2021 11:44 AM

To: FOIA <foia@charlottesville.gov>

Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Mr. Wheeler,

Is the City claiming a personnel exemption for the attached as it indicates I was the one speaking? So, in other words, I am the personnel referenced. I asked for my personnel records and the City has not included this note in my records. I want the unredacted version.

Also, Mr. Boyles was reading from a script during our August 26, 2021, meeting. I specifically asked him to check his notes to determine if he had covered every point. Where is that script, or is the City claiming that record does not exist? Dr. Brackney

On Wed, Oct 6, 2021 at 11:33 AM FOIA <foia@charlottesville.gov> wrote:

One additional record has been submitted to me to provide as responsive and it is attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

10/18/2021

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

foia@charlottesville.gov
www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
Sent: Tuesday, October 5, 2021 1:16 PM
To: FOIA <foia@charlottesville.gov>
Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Mr. Wheeler,
You did not respond to my request for the notes from Mr. Boyles meetings with me on August 26, 2021 or September 1, 2021. Are you claiming an exemption or that no records exist from those meetings?
Dr. Brackney

On Tue, Oct 5, 2021 at 12:31 PM FOIA <foia@charlottesville.gov> wrote:

The records responsive to your request are attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Saturday, September 18, 2021 7:40 AM
To: FOIA <foia@charlottesville.gov>; Wheeler, Brian <wheelerb@charlottesville.gov>
Subject: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

Email Contact Form for ALL City FOIA Requests

Please complete the online form below to submit your message.

Contact Information

Name: RaShall Brackney

Address:

City: Charlottesville

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

10/18/2021

State: VA

Zip: 22911

Home Phone Number: [REDACTED]

Daytime Phone Number: *Field not completed.*

Email Address: rmbst127@mail.rmu.edu

Enter the details of your FOIA request here

Per FOIA, I am requesting all records including the documents read by Chip Boyles' during his meetings with Chief Brackney on August 26, 2021, and September 1, 2021, and his briefing to Council on September 7, 2021, referencing the termination of Chief R. Brackney's employment contract.

Email not displaying correctly? View it in your browser.

--
RaShall M. Brackney-Wheelock, Ph.D.

--
RaShall M. Brackney-Wheelock, Ph.D.

--
RaShall M. Brackney-Wheelock, Ph.D.

Thu, Oct 14, 2021 at 3:10 PM

FOIA <foia@charlottesville.gov>
To: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

In addition... a request for "all records to include drafts, emails and notes utilized to produce this document/record."

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville
605 E. Main St.
Charlottesville, VA 22902
434-970-3129
foia@charlottesville.gov
www.charlottesville.gov/foia

From: FOIA <foia@charlottesville.gov>
Sent: Thursday, October 14, 2021 3:03 PM
To: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

I will treat this as a new FOIA request for Chip Boyles and/or Lisa Robertson to share the properties information for the original "script" file. I do not have the original file in my possession, so I have no records responsive to this request.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

10/18/2021

City of Charlottesville
605 E. Main St.
Charlottesville, VA 22902
434-970-3129
foia@charlottesville.gov
www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
Sent: Thursday, October 14, 2021 2:50 PM
To: FOIA <foia@charlottesville.gov>
Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Mr Wheeler,
Based on the attached record(script) and your consulting with Lisa and Chip, pursuant to FOIA, I am requesting all records to include drafts, emails and notes utilized to produce this document/record.
I am also requesting yours, Lisa Robertson's and Chip Boyles' properties logs associated with the creation, and editing of the document (script) provided. For example, when you hover over the document, it will give you "properties" as an option. I want the General tab logs associated with the script, security tab logs, details tab logs and previous versions tab logs associated with the script provided.
As usual, if the amount to produce these documents exceeds 50.00 please notify me, and provide an itemized cost estimate.

On Wed, Oct 13, 2021 at 5:02 PM FOIA <foia@charlottesville.gov> wrote:
I met with Chip and Lisa today. Attached is an additional record provided by Chip ("the script") for August 26.

We made a mistake sending you the redacted September 1 notes. The unredacted version is attached.

I believe that addresses the two outstanding questions for this request.

Brian Wheeler

BRIAN WHEELER
FOIA Officer & Director of Communications
City of Charlottesville
605 E. Main St.
Charlottesville, VA 22902
434-970-3129
foia@charlottesville.gov
www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

Sent: Wednesday, October 6, 2021 11:44 AM
To: FOIA <foia@charlottesville.gov>
Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

10/18/2021

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe. ******

Mr. Wheeler,
Is the City claiming a personnel exemption for the attached as it indicates I was the one speaking? So, in other words, I am the personnel referenced. I asked for my personnel records and the City has not included this note in my records. I want the unredacted version.
Also, Mr. Boyles was reading from a script during our August 26, 2021, meeting. I specifically asked him to check his notes to determine if he had covered every point. Where is that script, or is the City claiming that record does not exist?
Dr. Brackney

On Wed, Oct 6, 2021 at 11:33 AM FOIA <foia@charlottesville.gov> wrote:

One additional record has been submitted to me to provide as responsive and it is attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

Sent: Tuesday, October 5, 2021 1:16 PM

To: FOIA <foia@charlottesville.gov>

Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe. ******

Mr. Wheeler,
You did not respond to my request for the notes from Mr. Boyles meetings with me on August 26, 2021 or September 1, 2021. Are you claiming an exemption or that no records exist from those meetings?
Dr. Brackney

On Tue, Oct 5, 2021 at 12:31 PM FOIA <foia@charlottesville.gov> wrote:

The records responsive to your request are attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: noreply@civicplus.com <noreply@civicplus.com>

Sent: Saturday, September 18, 2021 7:40 AM

Sent: Saturday, September 18, 2021 7:40 AM
To: FOIA <foia@charlottesville.gov>; Wheeler, Brian <wheelerb@charlottesville.gov>
 Email Contact Form for All City FOIA Requests

To: FOIA <foia@charlottesville.gov>; Wheeler, Brian <bwheeler@charlottesville.gov>
Subject: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

Please complete the online form below to submit your message.

Contact Information

Name:

RaShall Brackney

Address:

City:

Charlottesville

State:

VA

Zip:

22911

Home Phone Number:

Daytime Phone Number:

Field not completed.

Email Address:

rmbst127@mail.rmu.edu

Enter the details of your FOIA request here

Per FOIA, I am requesting all records including the documents read by Chip Boyles' during his meetings with Chief Brackney on August 26, 2021, and September 1, 2021, and his briefing to Council on September 7, 2021, referencing the termination of Chief R. Brackney's employment contract.

Email not displaying correctly? [View it in your browser.](#)

RaShall M. Brackney-Wheelock, Ph.D.

RaShall M. Brackney-Wheelock, Ph.D.

RaShall M. Brackney-Wheelock, Ph.D.

Thu, Oct 14, 2021 at 4:02 PM

RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
To: FOIA <foia@charlottesville.gov>

Thank you. Are you also indicating you did not participate in the drafting, or editing of this document?
On Thu, Oct 14, 2021 at 3:03 PM FOIA <foia@charlottesville.gov> wrote:

20/31

10/18/2021

I will treat this as a new FOIA request for Chip Boyles and/or Lisa Robertson to share the properties information for the original "script" file. I do not have the original file in my possession, so I have no records responsive to this request.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
Sent: Thursday, October 14, 2021 2:50 PM

To: FOIA <foia@charlottesville.gov>

Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Mr Wheeler,
Based on the attached record(script) and your consulting with Lisa and Chip, pursuant to FOIA, I am requesting all records to include drafts, emails and notes utilized to produce this document/record.
I am also requesting yours, Lisa Robertson's and Chip Boyles' properties logs associated with the creation, and editing of the document (script) provided. For example, when you hover over the document, it will give you "properties" as an option. I want the General tab logs associated with the script, security tab logs, details tab logs and previous versions tab logs associated with the script provided.
As usual, if the amount to produce these documents exceeds 50.00 please notify me, and provide an itemized cost estimate.

On Wed, Oct 13, 2021 at 5:02 PM FOIA <foia@charlottesville.gov> wrote:

I met with Chip and Lisa today. Attached is an additional record provided by Chip ("the script") for August 26.

We made a mistake sending you the redacted September 1 notes. The unredacted version is attached.

I believe that addresses the two outstanding questions for this request.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

10/18/2021

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

Sent: Wednesday, October 6, 2021 11:44 AM

To: FOIA <foia@charlottesville.gov>

Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Mr. Wheeler,
Is the City claiming a personnel exemption for the attached as it indicates I was the one speaking? So, in other words, I am the personnel referenced. I asked for my personnel records and the City has not included this note in my records. I want the unredacted version.
Also, Mr. Boyles was reading from a script during our August 26, 2021, meeting. I specifically asked him to check his notes to determine if he had covered every point. Where is that script, or is the City claiming that record does not exist?

Dr. Brackney

On Wed, Oct 6, 2021 at 11:33 AM FOIA <foia@charlottesville.gov> wrote:

One additional record has been submitted to me to provide as responsive and it is attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

Sent: Tuesday, October 5, 2021 1:16 PM

To: FOIA <foia@charlottesville.gov>

Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Mr. Wheeler,
You did not respond to my request for the notes from Mr. Boyles meetings with me on August 26, 2021 or September 1, 2021. Are you claiming an exemption or that no records exist from those meetings?
Dr. Brackney

On Tue, Oct 5, 2021 at 12:31 PM FOIA <foia@charlottesville.gov> wrote:

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

10/18/2021

The records responsive to your request are attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: noreply@civicplus.com <noreply@civicplus.com>

Sent: Saturday, September 18, 2021 7:40 AM

To: FOIA <foia@charlottesville.gov>; Wheeler, Brian <wheelerb@charlottesville.gov>

Subject: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

Email Contact Form for ALL City FOIA Requests

Please complete the online form below to submit your message.

Contact Information

Name: RaShall Brackney

Address:

City: Charlottesville

State: VA

Zip: 22911

Home Phone Number:

Daytime Phone Number: Field not completed.

Email Address: rmbst127@mail.rmu.edu

Enter the details of your
FOIA request here

Per FOIA, I am requesting all records including the documents read by Chip Boyles' during his meetings with Chief Brackney on August 26, 2021, and September 1, 2021, and his briefing to Council on September 7, 2021, referencing the termination of Chief R. Brackney's employment contract.

Email not displaying correctly? View it in your browser.

10/18/2021

RaShall M. Brackney-Wheelock, Ph.D.

--
RaShall M. Brackney-Wheelock, Ph.D.

--
RaShall M. Brackney-Wheelock, Ph.D.

--
RaShall M. Brackney-Wheelock, Ph.D.

Thu, Oct 14, 2021 at 4:08 PM

FOIA <foia@charlottesville.gov>

To: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

I had not seen that document until yesterday.

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

Sent: Thursday, October 14, 2021 4:02 PM

To: FOIA <foia@charlottesville.gov>

Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Thank you. Are you also indicating you did not participate in the drafting, or editing of this document?
On Thu, Oct 14, 2021 at 3:03 PM FOIA <foia@charlottesville.gov> wrote:

I will treat this as a new FOIA request for Chip Boyles and/or Lisa Robertson to share the properties information for the original "script" file. I do not have the original file in my possession, so I have no records responsive to this request.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

Sent: Thursday, October 14, 2021 2:50 PM

10/18/2021

To: FOIA <foia@charlottesville.gov>**Subject:** Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Mr Wheeler,

Based on the attached record(script) and your consulting with Lisa and Chip, pursuant to FOIA, I am requesting all records to include drafts, emails and notes utilized to produce this document/record.

I am also requesting yours, Lisa Robertson's and Chip Boyles' properties logs associated with the creation, and editing of the document (script) provided. For example, when you hover over the document, it will give you "properties" as an option. I want the General tab logs associated with the script, security tab logs, details tab logs and previous versions tab logs associated with the script provided.

As usual, if the amount to produce these documents exceeds 50.00 please notify me, and provide an itemized cost estimate.

On Wed, Oct 13, 2021 at 5:02 PM FOIA <foia@charlottesville.gov> wrote:

I met with Chip and Lisa today. Attached is an additional record provided by Chip ("the script") for August 26.

We made a mistake sending you the redacted September 1 notes. The unredacted version is attached.

I believe that addresses the two outstanding questions for this request.

Brian Wheeler

BRIAN WHEELER**FOIA Officer & Director of Communications**

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>**Sent:** Wednesday, October 6, 2021 11:44 AM**To:** FOIA <foia@charlottesville.gov>**Subject:** Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Mr. Wheeler,

Is the City claiming a personnel exemption for the attached as it indicates I was the one speaking? So, in other words, I am the personnel referenced. I asked for my personnel records and the City has not included this note in my records. I want the unredacted version.

Also, Mr. Boyles was reading from a script during our August 26, 2021, meeting. I specifically asked him to check his notes to determine if he had covered every point. Where is that script, or is the City claiming that record does not exist?

Dr. Brackney

...com/mail/0/2ik=13d9e7c58b&view=pt&search=all&permthid=thread-f%3A1712798026780993576&dsqt=1&simpl=msg-f%3A17... 25/31

10/18/2021

On Wed, Oct 6, 2021 at 11:33 AM FOIA <foia@charlottesville.gov> wrote:

One additional record has been submitted to me to provide as responsive and it is attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

Sent: Tuesday, October 5, 2021 1:16 PM

To: FOIA <foia@charlottesville.gov>

Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Mr. Wheeler,
You did not respond to my request for the notes from Mr. Boyles meetings with me on August 26, 2021 or September 1, 2021. Are you claiming an exemption or that no records exist from those meetings?
Dr. Brackney

On Tue, Oct 5, 2021 at 12:31 PM FOIA <foia@charlottesville.gov> wrote:

The records responsive to your request are attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: noreply@civicplus.com <noreply@civicplus.com>

Sent: Saturday, September 18, 2021 7:40 AM

10/18/2021

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

To: FOIA <foia@charlottesville.gov>; Wheeler, Brian <wheelerb@charlottesville.gov>
 Subject: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

Email Contact Form for ALL City FOIA Requests

Please complete the online form below to submit your message.

Contact Information

Name: RaShall Brackney

Address:

City: Charlottesville

State: VA

Zip: 22911

Home Phone Number:

Daytime Phone Number: *Field not completed.*

Email Address: rmbst127@mail.rmu.edu

Enter the details of your
FOIA request here

Per FOIA, I am requesting all records including the documents read by Chip Boyles' during his meetings with Chief Brackney on August 26, 2021, and September 1, 2021, and his briefing to Council on September 7, 2021, referencing the termination of Chief R. Brackney's employment contract.

Email not displaying correctly? View it in your browser.

--
RaShall M. Brackney-Wheelock, Ph.D.

--
RaShall M. Brackney-Wheelock, Ph.D.

--
RaShall M. Brackney-Wheelock, Ph.D.

--
RaShall M. Brackney-Wheelock, Ph.D.

RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
 To: FOIA <foia@charlottesville.gov>

Fri, Oct 15, 2021 at 6:29 PM

Thank you.

On Thu, Oct 14, 2021 at 4:08 PM FOIA <foia@charlottesville.gov> wrote:
 I had not seen that document until yesterday.

BRIAN WHEELER
 FOIA Officer & Director of Communications
 City of Charlottesville
 605 E. Main St.

10/18/2021

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

Charlottesville, VA 22902
434-970-3129
foia@charlottesville.gov
www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
Sent: Thursday, October 14, 2021 4:02 PM

To: FOIA <foia@charlottesville.gov>
Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Thank you. Are you also indicating you did not participate in the drafting, or editing of this document?
On Thu, Oct 14, 2021 at 3:03 PM FOIA <foia@charlottesville.gov> wrote:

I will treat this as a new FOIA request for Chip Boyles and/or Lisa Robertson to share the properties information for the original "script" file. I do not have the original file in my possession, so I have no records responsive to this request.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville
605 E. Main St.
Charlottesville, VA 22902
434-970-3129
foia@charlottesville.gov
www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
Sent: Thursday, October 14, 2021 2:50 PM

To: FOIA <foia@charlottesville.gov>
Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Mr Wheeler,

Based on the attached record(script) and your consulting with Lisa and Chip, pursuant to FOIA, I am requesting all records to include drafts, emails and notes utilized to produce this document/record.

I am also requesting yours, Lisa Robertson's and Chip Boyles' properties logs associated with the creation, and editing of the document (script) provided. For example, when you hover over the document, it will give you "properties" as an option. I want the General tab logs associated with the script, security tab logs, details tab logs and previous versions tab logs associated with the script provided.

As usual, if the amount to produce these documents exceeds 50.00 please notify me, and provide an itemized cost estimate.

On Wed, Oct 13, 2021 at 5:02 PM FOIA <foia@charlottesville.gov> wrote:

10/18/2021

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

I met with Chip and Lisa today. Attached is an additional record provided by Chip ("the script") for August 26.

We made a mistake sending you the redacted September 1 notes. The unredacted version is attached.

I believe that addresses the two outstanding questions for this request.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>

Sent: Wednesday, October 6, 2021 11:44 AM

To: FOIA <foia@charlottesville.gov>

Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Mr. Wheeler,

Is the City claiming a personnel exemption for the attached as it indicates I was the one speaking? So, in other words, I am the personnel referenced. I asked for my personnel records and the City has not included this note in my records. I want the unredacted version.

Also, Mr. Boyles was reading from a script during our August 26, 2021, meeting. I specifically asked him to check his notes to determine if he had covered every point. Where is that script, or is the City claiming that record does not exist?

Dr. Brackney

On Wed, Oct 6, 2021 at 11:33 AM FOIA <foia@charlottesville.gov> wrote:

One additional record has been submitted to me to provide as responsive and it is attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

10/18/2021

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

foia@charlottesville.gov
www.charlottesville.gov/foia

From: RaShall Brackney-Wheelock <rmbst127@mail.rmu.edu>
Sent: Tuesday, October 5, 2021 1:16 PM
To: FOIA <foia@charlottesville.gov>
Subject: Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

**** WARNING:** This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Mr. Wheeler,
You did not respond to my request for the notes from Mr. Boyles meetings with me on August 26, 2021 or September 1, 2021. Are you claiming an exemption or that no records exist from those meetings?
Dr. Brackney

On Tue, Oct 5, 2021 at 12:31 PM FOIA <foia@charlottesville.gov> wrote:

The records responsive to your request are attached. Redactions have been made in accordance with exemptions allowed by the Virginia Freedom of Information Act. Specific exemptions are noted on each page in the header area of the document.

Brian Wheeler

BRIAN WHEELER

FOIA Officer & Director of Communications

City of Charlottesville

605 E. Main St.

Charlottesville, VA 22902

434-970-3129

foia@charlottesville.gov

www.charlottesville.gov/foia

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Saturday, September 18, 2021 7:40 AM
To: FOIA <foia@charlottesville.gov>; Wheeler, Brian <wheelerb@charlottesville.gov>
Subject: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

Email Contact Form for ALL City FOIA Requests

Please complete the online form below to submit your message.

Contact Information

Name: RaShall Brackney

Address: [REDACTED]

City: Charlottesville

10/18/2021

Robert Morris University Mail - Re: Online Form Submittal: Email Contact Form for ALL City FOIA Requests

State: VA

Zip: 22911

Home Phone Number:

[REDACTED]

Daytime Phone Number: *Field not completed.*

Email Address: rmbst127@mail.rmu.edu

Enter the details of your
FOIA request here

Per FOIA, I am requesting all records including the documents read by Chip Boyles' during his meetings with Chief Brackney on August 26, 2021, and September 1, 2021, and his briefing to Council on September 7, 2021, referencing the termination of Chief R. Brackney's employment contract.

Email not displaying correctly? View it in your browser.

--
RaShall M. Brackney-Wheelock, Ph.D.

--
RaShall M. Brackney-Wheelock, Ph.D.

--
RaShall M. Brackney-Wheelock, Ph.D.

--
RaShall M. Brackney-Wheelock, Ph.D.

--
RaShall M. Brackney-Wheelock, Ph.D.

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

RASHALL M. BRACKNEY-WHEELOCK

(b) County of Residence of First Listed Plaintiff City in Virginia
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Alex Taylor Law, PLC Tel: 804-239-9232
1622 West Main Street Richmond, VA 23220

DEFENDANTS

CITY OF CHARLOTTESVILLE et al,

County of Residence of First Listed Defendant City of Virginia
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | ☐ 1 | ☐ 1 | Incorporated or Principal Place of Business In This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business In Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice	PERSONAL INJURY ☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit (15 USC 1681 or 1692) ☐ 485 Telephone Consumer Protection Act ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☒ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education	PRISONER PETITIONS Habeas Corpus: ☐ 463 Alien Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:
Discrimination in employment pursuant to Title VII

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ 10,000,000.00 CHECK YES only if demanded in complaint: JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____ DOCKET NUMBER _____

DATE 06/15/2022 SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT \$402.00 APPLYING IFP _____ JUDGE Moon MAG. JUDGE _____

AWAWDC-3969652